VOL. XLV., No. 32.

The Solicitors' Journal and Reporter.

LONDON, JUNE 8, 1901.

*** The Editor cannot undertake to return rejected contributions, and copies should be kept of all articles sent by writers who are not on the regular staff of the JOURNAL.

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CURRENT TOPICS.

THE APPEAL LIST for the present sittings has, as might have been expected, again crept up until it has reached a total of 388 appeals, as against 373 at the commencement of the Easter Sittings, and 295 a year ago. There are 167 appeals from the Chancery Division and 147 from the King's Bench Division, and 36 appeals under the Workmen's Compensation Act.

THE CHANCERY Cause Lists shew a reduction on the aggregate at the commencement of the Easter Sittings. There are now 330 causes and matters as against 351 then. A year ago there were only 300. Mr. Justice WRIGHT has forty-one company matters before him—curiously enough, almost precisely the same number as at the commencement of the Easter Sittings and a year ago.

THE AGGREGATE of the causes in the King's Bench List amounts to 636, as against 776 at the commencement of the Easter Sittings. The Divisional Court matters number 102, and there are fourteen bankruptcy appeals.

MR. WILFRID GORDON BROWN, who, it will be observed, obtained the studentship at the recent Bar Examination, and last year was first in the Law Tripos at Cambridge and received the Chancellor's gold medal, is, we believe, a son of Mr. HAROLD BROWN, of the firm of Linklater, Addison, Brown, & Jones, and a grandson of Mr. JOSEPH BROWN, K.C., who recently celebrated his ninety-second birthday.

THE LORD CHANCELLOR, in his speech at the Hardwicke Society's dinner, put his finger on one judicial failing of the present day. "Speaking as a judge," he said, "it was, perhaps, only a paradox to say that the function of the judge was, not to speak, but to listen. Whether that function was universally observed was one of those questions which he declined to discuss. All he would say was, that if judges only would appreciate what an invaluable assistance it was to their

own minds to listen to those who had prepared their arguments and were perfectly familiar with the facts, they would recognize that initial listening, at all events, was greatly to their advantage." Let us hope that some of the judges who heard these remarks will take them to heart. The suggestion that even "initial listening" is not always conceded, is a rather severe reflection on some occupants of the bench.

THE PRESENCE of the Lord Chancellor and nearly half of the judges at a banquet which was to all intents given in honour of M. LABORI was rather a mistake. It was inappropriate, since the intention was to celebrate the fearlessness of the advocate, not only as regards popular clamour, but also as regards the bench; but a more serious consideration is that the presence of the judges may (notwithstanding the careful disavowal by the Lord Chancellor, in his really admirable speech, of any such intention) be misunderstood in France as implying a judicial opinion on the *Dreyfus case* and the conduct of the French tribunal. In other respects, however, the banquet was very successful. The Attorney-General's terse address left nothing to be desired, and the distinguished guest, who, in his first address, expressed himself with fluency and vigour in excellent English, handled a somewhat delicate matter with great tact and good taste. His English speech seemed, indeed, to some of his hearers to be rather better expressed than the *impromptu* French speech which he was subsequently induced to make; but the incident which he narrated in concluding this speech was striking and *a propos*. At a time, he said, when he most needed help in court, he had seen the head of his order, the *Batonnier, the advocate of his adversaries*, rise in the court and claim a hearing for his brother advocate. "Such men," he continued, "were the friends to be found at the bar. Was not an institution which produced such friends worthy of admiration?"

THE ISSUE of the Supreme Court of Judicature (Appeals) Bill on the eve of the Whitsun recess has left the profession and the public for an unusual time without any official statement of the reasons which have led the Lord Chancellor to promulgate a measure which seems specially to call for explanation. We drew attention to the Bill last week and since then it has been much commented on by the daily press. We notice that the *Times* in a leader neatly sums up the scheme in the words: "This measure has the merit of making no call on the public purse. It has probably no other merit"; and it pertinently inquires how the Attorney-General is going to defend this reversal of the Judicature Act of 1894, which he was himself instrumental in passing. Both that Act and the earlier Act of 1890 were distinctly based upon the principle that the proper tribunal of appeal in matters arising in the King's Bench Division is the Court of Appeal, and not a Divisional Court, and we are not aware that any objection has since been taken to this principle. The argument, indeed, against Divisional Courts is overwhelming. Their members are continually changing, and their constitution is not such as to give them in general any special authority. Moreover the very necessity for obtaining judges to sit in them increases the difficulty of arranging for the ordinary work of the King's Bench Division. At present we must confess ourselves entirely unable to understand how the Lord Chancellor has come to propose the imposing upon them of so large an amount of new work. No desire to this effect has been expressed by either branch of the profession, and as a matter of practical convenience it is clear that the judges of the King's Bench Division should be left as far as possible to their proper work of trying actions. Divisional Courts are generally recognized as an anomaly, and the proposal to extend their functions is not, we imagine, likely to meet with much sympathy.

WITH THE OTHER proposal in the Lord Chancellor's Bill—the creation of a third branch of the Court of Appeal—the case is very different. Assuming for the moment that the judges to constitute it are available, this forms the natural and effective means of working off arrears. As compared with a Divisional Court, the Court of Appeal has the advantages of authority and of continuity of sittings. Apart from the mere position of this judges, the fact that all appeals of a similar nature come before a tribunal whose constitution is practically fixed makes it far easier to secure uniformity in the law. The growth of arrears has been almost entirely due to the work being in excess of the powers of the two branches of the court. Once let the defect be dealt with by establishing a third branch, and there can be no doubt which is the better tribunal of appeal—a branch of the Court of Appeal, always sitting, and composed of judges accustomed to act together; or a Divisional Court, sitting only at intervals, and made up of such judges as can most easily be taken off their regular duties. In particular the Court of Appeal, notwithstanding the ill success of its decisions before the House of Lords, is a better tribunal for settling the difficulties of the Workmen's Compensation Act than an ordinary Divisional Court would be. The proposal of the Bill to make the decision of a Divisional Court final in these cases indicates simply a desire to check litigation at all hazards, however important may be the questions raised. Practically the point raised by the Bill is, where are the members of the third branch of the Court of Appeal to come from? The extra members—the Lord Chancellor, the Lord Chief Justice, and the President of the Probate, &c., Division—cannot be relied on to do more than occasionally supply the vacancies which absence for ill-health or other reasons creates in the present two branches of the court. Under the Judicature Act of 1891 ex-chancellors can sit in the Court of Appeal, but none are in existence, and Lord HALSBURY reveals no intention of himself assisting his Bill in this direction. There is, however, excellent material available in the Law Lords and in retired members of the Supreme Court who sit on the Judicial Committee of the Privy Council, and with these, and the addition of one regular Lord Justice, we imagine the third court could be readily composed. Work in the House of Lords and in the Judicial Committee is not so absorbing or continuous that it would be unreasonable to hope for the occasional attendance of Law Lords whose return to the courts would be heartily welcomed, or of Lord BRAMPTON or Sir FORD NORTH.

THE PRESIDENT of the Probate Division has just given an important decision upon a question in the practice upon motions for probate. It is familiar law that upon an application for probate of a testamentary paper the court has no general power to correct omissions or mistakes in it by reference to the instructions of the testator. The court, however, has power, if words have been inserted in a will by fraud or by mistake without the knowledge of the testator, to correct the error by omitting the words so inserted. The judge in exercising this power will refer to the instructions of the testator for the purpose of ascertaining whether the particular words were or were not inserted with his knowledge or approval. This being the law, it was natural that the court should be asked to go one step further, and in granting probate of a will, to supply words accidentally omitted from it. Accordingly, where a testator, in the draft of his will which was duly executed and read over to him before execution, bequeathed a legacy to the Bristol Royal Infirmary, and in the will, when engrossed, and which was not read over to him, the bequest was by mistake made to the "British" Royal Infirmary, application was made to the late Sir CHARLES BUTT to substitute in the probate "Bristol" for "British." The learned judge, according to the report in 13 P. D. 7, said that he could see no reason why the alteration should not be made, and he accordingly made the order on the production of an affidavit that there was no such institution as the "British" Royal Infirmary. The decision was followed by the same judge three years later: *In the Goods of Huddleston* (63 L. T. 255). The case recently decided (*In the Goods of Louis Schott*, 1901, P. 190) came before Sir F. JEUNE on the 6th of May. It appeared that the testator by his will, after making certain specific bequests and appointing executors and trustees, devised and bequeathed all his real and personal estate not thereinbefore specifically disposed of to his trustees, upon trust for sale and conversion as therein directed, and after payment of his debts and funeral and testamentary expenses and the specific

legacies bequeathed by the will, or which might be bequeathed by any codicil thereto, directed his trustees to stand possessed of the net *revenue* of the said proceeds upon the trusts therein declared. From the affidavit of the testator's solicitor as to the instructions which he received, and as to what subsequently occurred, it was established that a clerical error had crept into the draft will and had been repeated in the engrossment; the word "revenue" having by mistake been written instead of "residue" in the direction to the trustees to stand possessed of the net proceeds of the testator's residuary estate upon trust for investment. Application was now made to strike the word "revenue" out of the residuary clause, and to substitute the word "residue." The learned President referred to a note which had been put in manuscript in the margin of *In the Goods of Bushell* in the copy in court of the *Law Reports*. This note was "By the President's direction this is not to be followed." The President at the time was Sir JAMES HANNEN, who, it appeared from the statement of the Registrar, would not allow the order of Sir CHARLES BUTT to be carried into practice. Sir F. JEUNE acted on this opinion of Sir JAMES HANNEN, and made an order to strike out the words "revenue of the said" from the residuary clause, but refused to substitute the word "residue." The distinction between striking out words and allowing fresh words to be inserted is plain enough.

THE PAPER known as *Sporting Luck*, and the competitions conducted by its owners, have again been before the courts this week in the case of *Stoddart* v. *The Argus Printing Co.* (reported elsewhere). The case of *Regina* v. *Stoddart* (1901, 1 Q. B. 177) will doubtless be fresh in the memories of many of our readers. After the decision in that case, the nominal headquarters of the business were removed from London to Holland, and the competitions were carried on as before. The coupons were printed in the same way as before and had to be dealt with as before; the only difference being that the money had to be sent to Holland. Criminal proceedings were then taken against the proprietor of the paper in respect of this new phase of his enterprize, and these proceedings are still pending. Meanwhile, the printers of the paper, the present defendants, became alarmed as to their position, and refused to print the advertisements of the competitions. An amicable action was accordingly commenced against them by the proprietor of the paper for breach of their contract to print the paper; and the defence put in was that the defendants were always ready and willing to carry out their contract, but that it was a condition of the contract that they should not be required to print anything libellous or illegal, and that what they were asked to print was an infringement of section 7 of the Betting Act, 1853, and of section 3 of the Betting Act, 1874. This point of law was argued before a Divisional Court, and decided in favour of the plaintiff. The court, however, refused to travel one inch outside the question raised by the pleadings, or to give any sort of help either to prosecutor or defendant in the pending criminal proceedings, or to deal in any way with the question whether the removal of the headquarters to Holland was sufficient to avoid the law as laid down in *Reg* v. *Stoddart*. Now there are two offences mentioned in section 1 of the Act of 1853, the first is keeping a house for betting with persons resorting thereto—and "resorting" has been held to mean physical resorting and not to include the sending of letters or telegrams (*Reg.* v. *Brown*, 43 W. R. 222; 1895, 1 Q. B. 119). The second offence is the one of which the defendant was convicted in *Reg.* v. *Stoddart*—that is, keeping a house for the purpose of money being received as the consideration for a promise to pay money on a contingency relating to a horse-race. Section 7 of the Act of 1853, upon which the defence in the recent case chiefly depended, forbids any person to publish any advertisement whereby it is made to appear that any house is kept "for the purpose of making bets or wagers in manner aforesaid." That must mean for the purpose of betting with persons physically resorting to the house; so that the provision is aimed at advertisements relating to the first of the two offences. There is nothing in section 7 against advertisements relating to the second of the offences. As for the short and futile amending Act of 1874, this is aimed at advertisements offering information or advice in respect to bets to be made in a house kept for the purposes of betting (*Cox* v. *Andrews*, 32 W. R. 289, 12 Q. B. D. 126). This does not seem to have much to do with the printing of the rules and coupons of the *Sporting Luck* competitions. The printer, therefore, seems to be safe, but the plaintiff has got no help at all toward solving the question he is anxious to get answered. That question—namely, whether his removal of the receiving-place for the money to Holland enables him to defy the law—is a very interesting one, and one which will no doubt be dealt with by the High Court before very long.

THE DECISION of the Divisional Court in *Dulieu* v. *White & Sons* (*Times*, 6th inst.) constitutes another blow at the doctrine laid down by the Privy Council in *Victorian Railways Commissioners* v. *Coultas* (13 App. Cas. 222), that damages cannot be given for nervous shock to a plaintiff, the result of fright caused by negligence for which the defendant is responsible. In that case the gatekeeper of a railway company had negligently allowed the plaintiff to be driven over a level crossing when a train was approaching. An actual collision was avoided, but the plaintiff received a nervous shock which resulted in personal injury. The Supreme Court of Victoria held that an action was maintainable, but the Privy Council declined to admit that the ulterior consequences of nervous shock could be regarded as the natural result of the railway company's negligence so as to give a claim to damages. "Damages," it was said, "arising from mere sudden terror unaccompanied by any actual physical injury, but occasioning a nervous or mental shock, cannot under such circumstances be considered a consequence which, in the ordinary course of things, would flow from the negligence of the gatekeeper." Upon principle there does not seem to be anything to justify this statement, and it has been on several occasions dissented from. It is subjected, it may be noticed, to adverse criticism by Mr. BEVEN in his book on Negligence (2nd ed., p. 76), and in *Bell* v. *Great Northern Railway Co.* (L. R. Ir. 26 C. L. 428) the Exchequer Division in Ireland pointedly refused to follow it. The relation between fright and injury to the nerve and brain structures of the body is, said PALLES, C.B., a matter depending on scientific and medical testimony, and it cannot be laid down as a matter of law that if negligence causes fright, and the fright in its turn so affects such structures as to cause injury to health, the injury cannot be treated as the consequence of the negligence unless it accompanies the negligence in point of time. This was followed by WRIGHT, J., in *Wilkinson* v. *Downton* (45 W. R. 525; 1897, 2 Q. B. 57), where injury had resulted to the plaintiff from fright caused by a false statement made by the defendant as a practical joke. This case does not seem to have been noticed in the judgments in the present case of *Dulieu* v. *White & Sons*, but the same conclusion has been arrived at. The plaintiff, a pregnant woman, was behind the bar of her husband's public-house when a pair-horse van was negligently driven into the house. In consequence of the shock she became seriously ill, and was prematurely confined. Such, at least, was the allegation in the statement of claim, and the Divisional Court (KENNEDY and PHILLIMORE, JJ.) held that it shewed a good cause of action. The negligence on the part of the driver of the van was a breach of duty towards the plaintiff, and of this negligence the illness, on the facts alleged, was the direct result.

IT HAS been held by FARWELL, J., in *Re Greenwood* (49 W. R. 461) that, under the ordinary trusts for determining a life interest upon alienation, a forfeiture is not effected by the obtaining of a garnishee order, notwithstanding that income in the hands of the trustee may be thereby diverted from the tenant for life to the judgment creditor. This result is at variance with a decision by PEARSON, J., in *Bates* v. *Bates*, shortly reported in the *Weekly Notes* (1884, p. 129), but is in accordance with the reasoning of STIRLING, J., in *Re Sampson* (44 W. R. 557; 1896, 1 Ch. 630). In *Re Greenwood* a testatrix gave property upon trust to pay the income to her son during his life, or until he should alien it or become bankrupt, or do, or attempt to do, or suffer, any other act or

thing, or until any other event should happen, whereby, if the same were payable to him absolutely for his life, he would be deprived of the right to receive the same or any part thereof, and in these cases it was given over. A garnishee order was obtained by a judgment creditor of the son garnishing income accrued due and actually in the hands of the trustee, and the question was whether a forfeiture had been thereby incurred. That there was money actually due from the trustee to the son was, as FARWELL, J., pointed out, the basis of the garnishee order, for only so could the trustee be a debtor to the son. Before income came to his hands he was no more than a trustee. When it was in his hands, and he was under an obligation to pay it over at once, then he was a debtor, and the process of garnishing applied. But this very circumstance, which is necessary to make the garnishee order effectual, is also the circumstance which shews that the time for forfeiture has passed. "The epoch," said STIRLING, J., in *Re Sampson* (*supra*), "at which the destination of any instalment of income is to be determined is the moment when that instalment either accrues due or is in the hands of the trustees ready for application in accordance with the trusts of the will." Thus, immediately the income is in the hands of the trustees, the right of the tenant for life to receive it is absolute so far as the will is concerned, and the testator cannot by further limitations deprive him of the right. In other words, before income is due, no garnishee order can be effectual, for there is no debt; after it has once become due the title of the tenant for life to receive it is absolute, and he incurs no forfeiture by the fact that a subsequent garnishee order diverts the money into other pockets. The reasoning is ingenious, and perhaps it serves chiefly to illustrate the principle—upon which FARWELL, J., avowedly acted—that the courts do not favour forfeiture.

IT IS, we think, most desirable, in the interest of suitors, that the right of appeal from a county court, conferred by section 120 of the County Courts Act, 1888, should not be extended, but that, on the contrary, it should be kept rigidly within the prescribed limits, which do not allow of an appeal on a question of fact, but strictly confine it to cases where there has been a determination or direction "in point of law or equity, or upon the admission or rejection of any evidence." We, therefore, welcome the decision of the Court of Appeal in the recent case of *Dovaston* v. *De la Bertauche and Another* (reported elsewhere), where it was again clearly laid down that, in cases within the ordinary jurisdiction of the county courts, there is no appeal on a question of fact, and that, therefore, none will lie from *the refusal* of a county court judge to grant a new trial in a case where he is satisfied that the verdict given by the jury was one which, viewing the whole of the evidence reasonably, they could properly find. It had previously been held in *How* v. *London and North-Western Railway Co.* (40 W. R. 44; 1892, 1 Q.B. 391) that no appeal lies from the decision of a county court judge *granting* a new trial, on the ground that the verdict was against the weight of the evidence, if the judge applied the right rule of law in considering whether a new trial should be granted, but it was considered doubtful by the Divisional Court (Lord ALVERSTONE, C.J., and LAWRANCE J.), in the case under consideration, whether this decision was equally applicable to an order *refusing* a new trial. This doubt has now been set at rest by the Court of Appeal, who apparently were convinced that the reasoning contained in Lord ESHER'S judgment in *How* v. *London and North-Western Railway Co.* (*supra*) is just as applicable to an order *refusing* a new trial as it is to one *granting* a new trial.

ATTENTION should be called to some weighty observations on the complexity of the present law of real property which have been appended by Mr. T. CYPRIAN WILLIAMS to the recently-issued edition—the 19th—of Williams on Real Property. This complexity, he points out, is by no means due to any subtleties in the original common law. The influence of the earliest lawyers was in favour of simplicity. The conception of an estate in fee, over which the owner had complete control, and the requirement of delivery of possession as the essential element in alienation, left nothing to be desired in this respect. But, in an able summary of the successive changes introduced in consequence of the desire of landowners to effect family settlements, Mr. WILLIAMS ascribes the growth of complexity to the rise of conditional fees, of conveyances to feoffees to uses, and of limitations with remainders in favour of unborn persons, with the resulting niceties based on the rule against perpetuities. The invention in the time of the Commonwealth of the device of introducing trustees to preserve contingent remainders, and the establishment of the law of executory devises gave solidity to the system of family settlements, and brought the law into the condition it was in when, at the close of the eighteenth century, it furnished scope for the ingenuity of the great conveyancers of that day, before the slowly-built fabric had been touched by the hands of the modern reformer.

FOR THE earlier effort at reform Mr. WILLIAMS has nothing but praise: "The real property legislation of 1833," he says, "not only introduced beneficial reforms in practice, but also rendered obsolete a great deal of the previous law." It is seldom, for instance, that the practitioner has now to resort to the learning of fines and recoveries, or of real actions. Mr. WILLIAMS' quarrel is with subsequent legislation, which "has, almost without exception, proceeded on the lines of removing particular instances of hardship without regard to legal principle." The consequence is, he further points out, that the rules now in force are nothing but a series of anomalies, and the task of the student consists in first mastering the legal principles, and then tracking through the intricacies of various enactments the infringements which have been made on the principles. He must do this, for instance, in respect of the doctrine of contingent remainders, and must follow carefully the statutes which have been aimed at removing particular inconveniences. "Each successive reform," says Mr. WILLIAMS, "has added something to the burden of knowledge which the student must painfully acquire, but has taken nothing away"; and, by way of an extreme instance, he refers to the mode in which the Land Transfer Act, 1897, has diverted a dead man's realty to his executors without any change in the beneficial rights of the heir. "The student is left to digest the apparent paradox that, to confer on a man such an estate in land as shall devolve to his *executors*, the essential thing is to give the lands to him and his *heirs*." The only remedy he sees is in the drafting of fresh legislation by a conveyancer skilful enough to rival Mr. BRODIE'S Fines and Recoveries Act, and the passing of his work by the Legislature without amendment. This, of course, means the codifying of real property law. With all sympathy with Mr. WILLIAMS' aspirations, we anticipate that before they are attained many generations of students will have their difficulties smoothed by his father's book.

PRESCRIPTIVE CLAIMS TO RIGHTS OF WAY.

Two interesting decisions upon the application of the Prescription Act, 1832, to claims to rights of way have been given recently—one by the Court of Appeal in *Gardner* v. *Hodgson's Kingston Brewery Co.* (49 W. R. 421), when the decision of COZENS-HARDY, J. (48 W. R. 469) was reversed; and one by JOYCE, J., in *Damper* v. *Bassett* (*ante*, p. 537). Apart from the Act, easements, as is well known, arise by grant. "Every easement," said Lord CAIRNS, L.J., in *Rangeley* v. *Midland Railway Co.* (3 Ch., p. 310), "has its origin in a grant, express or implied. The person who can make that grant must be the owner of the land." Hence a prescriptive claim to an easement was necessarily based upon the presumption of a lost grant, though the presumption might be made in two ways. A claim based strictly upon prescription assumed an enjoyment carried back to the commencement of the reign of Richard I. and a grant prior to that date; and while twenty years' enjoyment was sufficient *prima facie* evidence of enjoyment for the whole period, yet any fact which militated against the origin or continuance of the easement would defeat the claim. Unity of possession, for instance, of the dominant and servient tenements at any period subsequent to the beginning of legal memory would shew that

the easement, if it had existed, had been extinguished, and there was no possibility of its being revived by prescription.

The rigour of this theory was modified by the invention of the judicial fiction of a modern lost grant. The presumption of grant was now made simply from the twenty years' enjoyment, and although it was liable to be rebutted by proof of circumstances which shewed that the grant could not in point of law have been made, yet the necessity for immemorial enjoyment was got rid of. The doctrine required, however, that the grant should be found as a fact by the jury, and since it became increasingly difficult to get juries to lend the sanction of their oaths to what was notoriously a mere fiction, statutory recognition was given to it by the Prescription Act. By section 2, no claim to any way or other easement, which "shall have been actually enjoyed by any person claiming right thereto without interruption for the full period of twenty years," is liable to be defeated by evidence that it was first enjoyed at any time prior to the period of twenty years, but it is subject to be defeated in any other way in which it might have been defeated prior to the Act. Enjoyment, however, for the full period of forty years makes the right "absolute and indefeasible, unless it shall appear that the same was enjoyed by some consent or agreement expressly given or made for that purpose by some deed or writing." These provisions of course do not apply to claims to light, which by section 2 are put upon a special basis, a right to light being acquired absolutely, without any reference to an implied grant, by twenty years' uninterrupted user not dependent upon an agreement in writing: see *Tapling* v. *Jones* (11 H. L. C. 290).

With reference to rights of way as to which a user of more than twenty, but less than forty, years can be proved, the Prescription Act does not interfere with the theory that the right of way depends upon implied grant further than to exclude any objection arising solely out of the fact that the enjoyment can be shewn to have first commenced at some period antecedent to the commencement of the period of twenty years before action. In other words, an enjoyment for twenty years is sufficient to give a title to the right of way provided there are no circumstances at the beginning of the twenty years which shew that a grant could not then have been effectually made—such, for instance, as an incapacity in the owner of the servient tenement to make, or in the owner of the dominant tenement to receive the grant. But when the period of forty years has elapsed, these considerations relating to the possibility of the grant do not arise, and the title to the right of way is indefeasible. Effectual, however, as the lapse of time is, it is essential to notice that the enjoyment of the easement must satisfy the condition that it shall be by a person "claiming right thereto"—an expression which becomes "as of right" in section 5—and that it shall have lasted without interruption throughout the statutory period. It is to be noticed that, by section 4, no act or other matter is to be deemed to be an interruption within the meaning of the Act, unless it has been submitted to or acquiesced in for one year.

In the case of *Gardner* v. *Hodgson's Kingston Brewery Co.* (*supra*) the question was whether this requirement of forty years' uninterrupted user as of right had been satisfied under the following circumstances: The plaintiff was the owner of a shop in High-street, Sutton, wherein a saddler's business had been carried on for eighty-nine years, with a yard and outbuildings at the rear used as livery stables. Adjacent to the premises was the Red Lion Inn, and the only mode of access to the stable-yard was by passing from High-street through the yard of the inn. The stable-yard had a gateway opening on to the inn yard, and it appeared that a right of way through the yard had been enjoyed during the whole period of eighty-nine years. The defendants were the owners of the inn. It was proved that since 1855 a sum of 15s. a year had been paid by the plaintiff and her predecessors for the use of the right of way. In 1898 the defendants gave a month's notice to determine the user of the way, and in 1899 a further notice was served upon the footing of the plaintiff being a yearly tenant. The question raised in the action was whether these notices were properly served, or whether the plaintiff had acquired a prescriptive title to the right of way subject to the annual payment of 15s. Apart from the annual payment, the case would of course have been clear. The full statutory period of forty years had elapsed and the uninterrupted enjoyment of the right of way would have conferred on the plaintiff an indefeasible title. The payment of the 15s., however, deprived the case of this simple character, and, in the absence of all evidence, there was a wide field for speculation as to the circumstance under which the payment arose. The mere fact of a payment being made in respect of a right of way does not, it seems, prevent the enjoyment from being "as of right" so as to give rise to a claim by prescription. The principal passage defining the meaning of this expression is to be found in the judgment of Lord DENMAN, C.J., in *Tickle* v. *Brown* (4 A. & E. 369). "Enjoyment as of right," it was said, must mean "an enjoyment had openly, notoriously, without particular leave at the time, by a person claiming to use it without danger of being treated as a trespasser, as a matter of right, whether strictly legal by prescription and adverse user, or by deed conferring the right, or, though not strictly legal, yet lawful to the extent of excusing a trespass." Enjoyment under a licence is, therefore, enjoyment as of right, though if the licence is given within the twenty years, the enjoyment is not as of right for the whole period, and the prescriptive claim does not ripen. If, however, the licence is more than forty years old, it only prevents prescription if it is in writing. If it is by parol, it cannot be used to exclude the statute.

In the present case COZENS-HARDY, J., assumed from the circumstances that there had been a parol licence for the use of the right of way, subject to an annual payment of 15s., given more than forty years before the action. The successive payments were thus made in pursuance of this original licence, and it was not to be supposed that an application was made each year for a fresh licence. There had been accordingly an enjoyment as of right for the full period and a title by prescription had been acquired. The annual payments were a recognition of the licence on each side, and were in no sense an interruption of the enjoyment. In the Court of Appeal RIGBY, L.J., agreed with this view, but the majority of the Court (VAUGHAN WILLIAMS and ROMER, L.JJ.) arrived at a different conclusion. The hypothesis of a parol agreement, made before the beginning of the forty years, and remaining in force for the whole period, was possible, but it was not probable, and it was not to be assumed as fact in the entire absence of proof. The natural inference from the payment in any one year was, VAUGHAN WILLIAMS, L.J., observed, that the enjoyment in that year was not of right, and he could not see why the inference should be different because the payment was made for a number of years in succession. Similarly, ROMER, L.J., came to the conclusion that each payment was to be assumed to be in respect of the permission to use the way for the preceding year. This view of the matter alters the result entirely. Upon the assumption of an original parol agreement, continuous in its operation, the enjoyment was "as of right" through the whole forty years. It is quite different when the enjoyment each year depends upon a renewed application, and a renewed permission. It is now recognized from year to year that the enjoyment is not of right, and the condition upon which the statute comes into operation does not arise. A man who has obtained a continuing licence to use a right of way may go on using it "as of right" so as, if the licence is only by parol, to gain, in course of time, the the benefit of the statute; but it is otherwise with one who has to come from year to year to obtain a fresh licence. The plaintiff's case, therefore, failed with the failure of the hypothesis of the parol licence, and the defendants were justified in their notice determining the user of the right of way.

The second of the two cases referred to above—*Damper* v. *Bassett*—raised a point of less difficulty. It has already been noticed that, before the Prescription Act, a claim to an easement resting upon the presumption of immemorial user might be defeated by proof of unity of possession of the dominant and servient tenements. This necessarily extinguished the easement as an easement, and it could not be subsequently revived by prescription. Exactly the same effect follows under the Prescription Act where there has been a unity of possession during the statutory periods of twenty or forty years, whichever happens to be relied on. The statute runs in favour of a person who has been in actual enjoyment of an easement as of right, but it has been held that the enjoyment must be of

the easement as such, and this condition cannot be satisfied when the occupier of the dominant tenement is himself also the occupier of the servient. "We are all clearly of opinion," said PARKE, B., in *Onley* v. *Gardiner* (4 M. & W. 496), "that in order to entitle the defendant to the benefit of the statutory plea, it must be an enjoyment of the easement *as such*, and as of right, for a continuous period of twenty years next before the suit, without such interruption as is defined in the Act." Consequently, not only does a period of unity of possession interrupt the statutory period, but it precludes the statute altogether. Since the enjoyment must be continuous for the twenty years, this period cannot be made up by adding together the years in which the possession has been separate.

Similarly, in *Battishill* v. *Reed* (18 C. B. 696), where the plaintiff alleged enjoyment of a way as of right and without interruption from 1800 to 1855, when the action was brought, it was held that his claim was defeated by unity of possession from 1843 to 1853. "The statute," said JERVIS, C.J., "contemplates a *continuous* enjoyment of the easement claimed, as of right, for twenty (or forty) years next before the commencement of the suit, without interruption acquiesced in for a year. In the present case there was an interruption of ten years when there was no user at all. In computing the period that interval cannot be cut out." The case of *Damper* v. *Bassett* was an easy application of the same principle. The plaintiff, as owner of a farm, claimed a right of way over an adjacent farm by user for upwards of forty years prior to 1900. It appeared, however, that from 1877 to 1898 the two farms were in the occupation of the same tenant. JOYCE, J., held that he was bound by the above cases, and he had therefore no option but to dismiss the claim. The Prescription Act followed a course not at all uncommon in legislation. It removed an immediate and pressing inconvenience, but it made no attempt to introduce method into the law, and, as subsequent litigation has shewn, it left the whole subject of prescription full of difficulties.

WHAT IS A DISTINCTIVE LABEL?

AN agitation is beginning in commercial circles against the view taken by the Patent Office of what constitutes a distinctive label within the meaning of section 64, sub-section 1 (*c*), of the Patents, &c., Act, 1883. Section 64, it will be remembered, provides that for the purposes of the Act a trade-mark must consist of or contain at least one of what are set forth as "essential particulars," among which are "a distinctive device, mark, brand, heading, label, or ticket." It follows, therefore, that a distinctive label is an essential particular in itself, and as such entitled to registration. But what constitutes a distinctive label? This is the *crux*. It would *primâ facie* have appeared that the proper and simple test to apply would have been that of the Lord Chancellor in the case of *Perry Davis* v. *Harbord* (L. R. 15 A. C. 320), "Distinctive means distinguishing a person's goods from somebody else's," and that if a label has in fact distinguished the owner's goods in the market from the goods of others, or is capable of so distinguishing them, it would be held to be a distinctive label irrespective of the elements of which it is composed.

But this is not the view which has been taken by the Patent Office. The Patent Office will not treat a label as a distinctive label, and therefore capable of registration as a trade-mark, unless it contains within its four corners one or more of the essential particulars enumerated in section 64—*i.e.*, that for a label to be distinctive, and therefore an essential particular in itself, it must contain some other essential particular or particulars. We cannot complain of the Patent Office taking this line, because it is warranted by several decided cases; for instance, in the case, before BYRNE, J., last year, of *Wright, Crossley, & Co.'s Trade-Mark* (17 R. P. C. 386), that learned judge said that he had to consider whether the applicants' label contained an essential particular or essential particulars of a trade-mark as defined by the Act, and he held that it did "inasmuch as it contains the device of a lion surrounded by a border with ornamental work outside and with a band underneath; it has also on another part the device of a scroll unfurled from a roller on which the directions for use appear. These devices as and when used as part of the trade-mark with the rest of the label appear to me to make the whole label distinctive." He then added, "It complies with the condition pointed out by Lord CAIRNS as necessary," referring to a portion of Lord CAIRNS' judgment in *Orr Ewing* v. *Registrar of Trade-Marks* (L. R. 4 A. C. 484), which he had previously quoted as follows: "I cannot think that Vice-Chancellor HALL sufficiently appreciated the object and the provisions of the Act of Parliament when he said that he considered that, in each case, a device or label, registration of which is applied for, must be looked at as a whole, and that if it appears to be such as in the ordinary course of business would be distinguished from other devices or labels it should be registered. To some extent, no doubt, this is true, but I apprehend the first duty cast upon the court is to ascertain whether some one, or more than one, of the essential particulars of a trade-mark as defined by the Act is found to exist, so that the mark may be described with the one, or more than one, essential particular or particulars which distinguish it."

These remarks of Lord CAIRNS, if taken by themselves, would undoubtedly seem to be an authority for the proposition that a label, to be distinctive, must contain an essential particular within its four corners, but it is important, we think, to consider what was the exact point before the House of Lords in the case, and what was the order that the House of Lords in fact made. In that case, which was decided by the House of Lords in 1879, and therefore came under the old Act, and in the infancy of trade-mark registration law, certain labels used by ORR EWING & Co. had been placed by the Manchester Committee of Experts in the second class, and ORR EWING & Co. applied to the court for an order that the Registrar should proceed with their application to register these labels, notwithstanding the decision of the committee of experts. Vice-Chancellor HALL granted the application; the Court of Appeal reversed him on the ground that the decision of the committee of experts ought not to be interfered with unless they proceeded on some wrong principle or in some improper manner. The House of Lords reversed the decision of the Court of Appeal, and remitted the case to the Registrar, and the Order of the House of Lords was in these words: "Judgment of the Court of Appeal reversed, and case remitted to the court below, with a declaration that, notwithstanding that the tickets of the appellants numbered 1775, 1776, 1777, and 1778 have been placed by the committee, under the Trade-Marks Rule No. 59, in the second class of cotton marks, the Registrar of Trade-Marks ought to proceed with the application of the appellants to register as trade-marks the distinctive devices of animals on the said labels, with the name and address of the appellants' firm." Therefore, what the House of Lords did was, not to direct the Registrar to proceed with the application to register the labels, but to register certain distinctive devices and certain words picked out from the labels. These labels were old marks—*i.e.*, used before the 13th of August, 1875—and it certainly has not been the practice of the Patent Office in registering old marks to pick out certain portions and register those. In fact, it has been held over and over again that an old mark must be registered exactly as used. We do not therefore think that *Orr Ewing's case*, in spite of what Lord CAIRNS said, as previously mentioned, can be treated as a decision that a distinctive label must contain within its four corners some one or more of the essential particulars prescribed by the Act.

We cannot, however, after the current of decision on the point, encourage traders in trying to get their labels registered simply as distinctive labels (unless they contain within their four corners some essential particular) notwithstanding that they may, as a matter of fact, have distinguished their goods in the market for many years. What they must do is to try to obtain an amendment of the Act of Parliament in this respect. In the Bill for consolidating and amending the law relating to trade-marks which is now before the House of Commons there is a provision as follows: "That a trade-mark may consist of (*inter alia*) any device, mark, brand, heading, label or words, letters or figures to which the applicant has been and is exclusively entitled, and which shall be and is capable of distinguishing the goods or merchandize of the applicant." It may be that this provision goes too far, but certainly so far as it

applies to distinctive labels it is one which seems to point to a desirable alteration of the law.

Before parting with the subject, we may state why the matter is one of such great importance to traders. Nothing is, unfortunately, so frequent in some foreign countries as the piracy of the labels of British traders, such piracies often extending to actual copies. In many of these foreign countries a British trader cannot protect his label effectually unless it is registered as a trade-mark; it cannot be registered as a trade-mark there until it has been registered here. If a British trader has a label that for years has distinguished his goods in the market, but does not contain within its four corners an essential particular or particulars within the meaning of the Act, then if such label is pirated in one of the foreign countries to which we have referred, he has to put up with the fraud, and see his trade ruined, because he cannot get his label registered there, as he is unable to get it registered here.

REVIEWS.

COMPANY LAW.

A Manual of Company Law. By William Frederick Hamilton, LL.D. (Lond.), K.C. Second Edition. By the Author, assisted by Percy Tindal-Robertson, B.A., Barrister-at-Law. Stevens & Sons (Limited).

In this edition the author has considerably enlarged the scope of the original work. The first edition, as he points out in the present preface, was written principally for the use of directors of companies, and it treated of company law so far only as it affected their rights, powers, duties, and liabilities. The object of this edition is to state within a reasonable compass the whole of the law relating to companies, and at the same time to embody all the recent decisions and the recent legislation on the subject. In adopting this course Mr. Hamilton has increased the utility of his work, and he has also given it a form which is of special value. He does not confine himself to a mere discussion of successive sections of the Companies Acts, but he arranges the entire subject in a convenient order, from the incorporation of the company to its winding up and dissolution, and in each chapter, in addition to lucid discussion of the relevant cases, the conclusions at which he arrives are stated in bold print in the shape of concise rules. An excellent example of this method of treatment is to be found in the chapter on Accounts, Auditors, and Dividends. The difficulty of accurately distinguishing in all cases between capital and profits, so as to test whether a payment of dividends is justifiable, is well known. Two methods are possible. According to one the assets are revalued from time to time and the nominal balance of assets over liabilities is treated as profit. This method, Mr. Hamilton points out, is clearly unsound. The proper plan, he urges, is to keep the revenue account distinct from the balance-sheet, and to pay a dividend only out of the profit appearing on the former account. In the main this is the plan which the courts favour, but it has not been followed with entire uniformity. The cases on the subject are fully and ably stated by Mr. Hamilton, and the set of rules with which he concludes the chapter should be found of great service to directors and auditors. A special chapter is devoted to the Companies Act, 1900, and the text of the Act is set out and its provisions discussed. The table of cases contains references to the various serious of reports, and a very full index has been prepared. Altogether the work forms a sound and eminently useful manual of company law.

A Summary of the Law of Companies. By T. Eustace Smith, Barrister-at-Law. Seventh Edition. Stevens & Haynes.

This volume was originally intended to enable students to obtain within a small compass a knowledge of the general principles of company law. The issue of successive editions shews that it has supplied a want, and amidst the intricacies of the larger works on the subject it will also be found useful to practitioners. The feature of the present edition is, of course, the incorporation of the Companies Act, 1900, and its provisions will be found to be clearly set out. It is a slight slip at p. 20 to say generally that a company can now pay a commission for underwriting. The statutory permission is, of course, limited to cases where shares are being offered to the public. But as a whole the book combines accuracy of exposition with sufficient fullness of detail to answer its scope. References are given to the leading authorities, and the reader will be able to use the book as a guide to other sources of information. The text of the Winding-up Act of 1890, and also of the Act of 1900, are given in full in an Appendix. The book furnishes a concise and handy epitome of company law.

Responsibilities of Directors and Working of Companies under the Companies Acts, 1862-1900. With the Companies Act, 1900. In Extenso, Prescribed Forms, Explanatory Notes, and Exhaustive Index Thereto. By Anthony Pulbrook, Solicitor. Effingham Wilson.

Mr. Pulbrook has clear ideas on the position of directors and on the idiosyncrasies of shareholders, and in this little volume he gives them forcible expression. Boards of directors, in his view, are in general incompetent, and shareholders, "as a class, may be taken as typical of the entire selfishness, avarice, and greed of human nature." For the facts upon which these opinions are based we must refer the reader to the book itself, but certainly Mr. Pulbrook's criticisms upon the ordinary system of managing companies are fully justified. One capable man at a good salary, he says, is worth all the boards of directors in existence. A board of directors commonly means divided responsibility, with the result that what is everybody's business is nobody's business, and the company's affairs suffer for want of the competent control which only a single will can supply. Mr. Pulbrook appears to have seen much of the dark side of company management, and promoters and directors who are anxious to know the pitfalls in the way to success will do well to peruse his very interesting book.

The Companies Acts, 1862-1900. With Cross-References and a Full Analytical Index, comprising the Full Text of all the Statutes, with all Amendments and Repeals down to 1900, and the Forms and Fees prescribed by the Board of Trade under the Act of 1900. By William Godden, LL.B., B.A., Solicitor, and Stamford Hutton, Barrister-at-Law. Effingham Wilson.

The object of this book is to give in a small compass the entire statute law relating to limited companies, without comment or reference to judicial decisions. The subject has been so overlaid by judge-made law that the practitioner is apt to forget how much assistance he can frequently get by recourse to the statutes themselves. For this purpose Messrs. Godden and Hutton's work, with its numerous cross-references to shew how different enactments are related to each other, and its distinctive printing of repealed sections, will be found very useful. Considerable care has been given to making the volume clear and complete within the limits assigned to it.

RULING CASES.

Ruling Cases. Arranged, Annotated, and Edited by Robert Campbell, M.A., Barrister-at-Law. Assisted by other Members of the Bar. With American Notes by Leonard A. Jones, A.B., LL.B. (Harv.), Judge of the Court of Land Registration of Massachusetts. Vol. XXIII: Relief (of the Able-bodied)—Sea. Stevens & Sons (Limited).

The issue of this volume of Ruling Cases will remind the profession that the important work which Messrs. Stevens & Sons (Limited) have undertaken is now nearing its completion, and that there will shortly be available such an array of leading cases as has never before been brought together. The first heading in the present volume shews that the editor is careful to incorporate the latest authorities whenever these rise to the necessary degree of importance. Thus under "Relief (of the Able-bodied)," the recent decision of the Court of Appeal in *Attorney-General* v. *Guardians of Merthyr Tydfil Union* (1900, 1 Ch. 516) is introduced to illustrate the rule that an able-bodied man who can obtain employment, but refuses to accept it, is not entitled to relief out of the rates, though relief may be given to his family. The heading, however, under which this is put seems to be somewhat anomalous. There is no cross reference to any title of poor relief in general, and in Vol. XXI. only three cases occur under the heading "Poor." We should not have thought that "Relief of the Able-Bodied" was entitled to this exclusive treatment. But criticisms of this nature are of trifling moment compared with the task Mr. Campbell has had to face in dealing with the whole body of English case-law, and which he has discharged so satisfactorily.

Other recent leading cases which are given are *Attorney-General* v. *Beech* (1899, A. C. 53) under "Revenue—Estate Duty," and *Reid* v. *Reid* (34 W. R. 332) under "Reversionary Property," though the latter would more natually have fallen under a heading referring to married women. The leading titles in the volume are "Sale of Goods," which has thirty-three cases, arranged in six sections, assigned to it; and "Sea," which has twenty-one cases, arranged in four sections. It may be a question how far the authorities on Sale of Goods are now essential, having regard to the Sale of Goods Act, 1893, but in doubts arising under the Act it is necessary to refer

to them, and doubtless Mr. Campbell has done wisely in including a large selection. The case of *Abbott* v. *Wolsey* (43 W. R. 513), for instance, shewed that section 4 (3) of the Act had not prevented the necessity of referring to the earlier cases on what constitutes an "acceptance" of goods so as to exclude the Statute of Frauds, and these are set out fully in the notes to *Bushel* v. *Wheeler* (15 Q. B. 442n) and *Meredith* v. *Meigh* (2 E. & B. 364) which are given as the ruling cases on the subject. Section II. under "Sea," dealing with "Seashore," gives several foreshore cases of great interest and importance, including *Duke of Beaufort* v. *Swansea* (3 Ex. 413), on the evidence necessary to rebut the *primâ facie* title of the Crown, and the recent House of Lords decision in *Attorney-General* v. *Emerson* (1891, A. C. 649), on the effect for this purpose of proof of the ownership of a several fishery over the foreshore. The profession will await with interest the conclusion of the series.

WILLS.

A Concise Treatise on the Law of Wills. By H. S. Theobald, K.C. Fifth Edition. Stevens & Sons (Limited).

Those who, like ourselves, have used "Theobald" for many years will need no description of the characteristics of the work. It is excellent as a guide to the cases, which are frequently very well classified and carefully arranged. Almost inevitably, however, with the accumulation of fresh decisions, the arrangement and analysis have ceased to be quite so careful or complete. Strings of cases with the names simply cited tend to increase. We are aware that this tendency may be due, in part, to a desire to keep the book within reasonable bulk; but as we value the work exceedingly, we may be permitted to suggest that the time has come for a more complete revision and analysis of the cases.

To take one instance only of what we mean: a difficult question in the interpretation of a will is to ascertain what will be considered a sufficient indication of a different meaning to negative the rule established by *O'Mahoney* v. *Burdett* (L. R. 7 H. L. 388) and *Ingram* v. *Soutter* (*Ib.*, 408). At p. 579 the cases of *Olivant* v. *Wright* (1 Ch. D. 346), and *Re Thomson and Curzon* (cited from 52 L. T. 498, but stated in 29 Ch. D., at p. 178) are cited together in support of the the proposition that if "payment or division is directed at the death of the tenant for life, and all the subsequent dispositions are made with reference to the same payment or division, the death without issue will be confined to such death before the time of distribution." Now, *Olivant* v. *Wright* was, as stated, decided on the express direction for division at the death of the tenant for life, but *Re Thomson and Curzon* was apparently decided on the primary gift, after the death of the tenant for life, being to the children "for their own use and benefit," in pursuance of the principle explained by Lord Selborne in his judgment in *O'Mahoney* v. *Burdett* (L. R. 4 H. L., at p. 406).

We must not be supposed, however, to intend to suggest in any way that the present edition has been carelessly edited: there are signs throughout the book of careful revision; statements of the effect of cases have been frequently remodelled; passages have been omitted; incorrect references to the pages of reports have been corrected (but, by the way, at p. 159 *Re Smith* still appears as 42 W. R. 468, instead of 568); the recent decisions have been collected with great care, and portions of the work have been practically re-written. All we desire is to see this revision carried rather further and the classification of cases more fully developed.

THE MAGISTERIAL FORMULIST.

Oke's Magisterial Formulist: being a Collection of Forms and Precedents for Practical Use in All Cases Out of Quarter Sessions and in Parochial Matters, by Magistrates, their Clerks, Solicitors, and Constables. Eighth Edition. By Cecil George Douglas, Esq., Chief Clerk, Mansion House Justice Room, London. Butterworth & Co.

In the seventh edition of this standard work, under the editorship of Mr. H. L. Stephens, there was a considerable diminution in bulk; and in the present edition the editor has effected a further saving of space by omitting most of the forms relating to offences usually prosecuted by a government department, the informations in such cases being, as is explained in the preface, almost invariably produced before courts of summary jurisdiction on behalf of the department and forming a model for the drawing up of the summonses, warrants, &c. The book, as is well known, contains two parts, one relating to summary convictions and orders, and the other relating to indictable offences, and in each of these parts, after general forms, there are given statements of offences, arranged in alphabetical order, together in the first part with forms of conviction, commitments, &c.; and there are separate sections relative to forms in matters to be done in special sessions and matters to be done in petty sessions not included in Part I. The statute and section under which the charge is made are stated in the margin, and the headings in large type at the top of each page afford a ready means of finding the way to any particular offence. The edges of the leaves of the book are also, in accordance with a convenient modern practice, differently coloured, and are marked outside with the particular subject dealt with in the sections of the book. The index has been enlarged; but in the case both of this and other indices we should be glad to see the page always inserted after such entries as "Infant, see Child"; "Innkeeper, see Intoxicating Liquors." It would save a great deal of trouble to the reader if this rule were always observed. In using the book, the formal alterations in style occasioned by the death of Queen Victoria will have to be carefully attended to, since the work was in the press when that event occurred. The present edition appears, so far as we have been able to examine it, to be carefully edited.

REAL PROPERTY.

Principles of the Law of Real Property: intended as a First Book for the use of Students in Conveyancing. By the late Joshua Williams, Q.C. The Nineteenth Edition, Re-arranged and Partly Re-written. By his son, T. Cyprian Williams, LL.B., Barrister-at-Law. Sweet & Maxwell (Limited).

A table prefixed to this edition of Williams on Real Property shews that the first edition was published in 1845, and twelve more editions were prepared by the author, the last being published in 1880. To the present editor fell the task of incorporating the extensive changes made in the law by the Conveyancing and Settled Land Acts, and since the appearance of the eighteenth edition in 1896 the Land Transfer Act of 1897 has again made extensive alterations necessary. The changes which are contained in the first part of the Act, since they relate to the general law of real property, have been incorporated in the appropriate places in the text. Thus, the chapter on "The Descent of an Estate in Fee Simple" now commences with an account of the devolution of the real estate on the personal representatives, and only when this subject has been cleared out of the way do we come to the well-known exposition of the rules of descent. The second part of the Act, relating to dealings with registered land, is explained in a separate chapter which has been added at the end of the book. We notice elsewhere some remarks on the present difficulties of real property law with which Mr. Williams has concluded this chapter. The student will find it a useful exercise to try whether the knowledge he has acquired enables him intelligently to follow these remarks. The chapter on "The Present Form of a Conveyance" has been improved by the inclusion of some simple forms of conveyance calculated to give the student a practical insight into the subject. Mr. Williams clearly recognizes the importance of keeping the work well up to date, and students may be congratulated that it has fallen into such competent hands.

NAVAL LAW.

Manual of Naval Law and Court-Martial Procedure, in which is embodied Thring's Criminal Law of the Navy, together with the Naval Discipline Act and an Appendix of Practical Forms. By J. E. R. Stephens, Barrister-at-Law, C. E. Gifford, C.B., Fleet Paymaster R.N., and F. Harrison-Smith, Staff-Paymaster R.N. Stevens & Sons (Limited).

The fact that Thring's Criminal Law of the Navy, upon which this work is based, was last published as long ago as 1877 affords ample justification for the present manual. Since that date the Naval Discipline Act of 1884 has been passed, and in many respects Naval court-martial procedure has been remodelled. The authors of this manual have had the advantage of using the proof-sheets of a new edition of the Admiralty Memorandum on Court-martial Procedure; of being afforded great facilities of research amongst the Admiralty records, and of the permission to incorporate extracts from the Manual of Military Law. They have made good use of their materials, and the book should fulfil its object, which is expressed to be to afford a practical guide for commanding officers and courts-martial in the trial and punishment of criminal offences in the Navy. It is not primarily a lawyer's book, though those chapters which deal with more purely legal matters, especially Chapter XIV., "Courts of Law in relation to Naval Jurisdiction," will be found both of interest and of practical use by the practitioner. The arrangement of the work is good, and there is an excellent appendix of practical forms. Practice alone can really test an index, but it may be said that it is voluminous and clearly arranged.

It is stated that Mr. Justice Day is better, but it is not expected that he will resume his judicial duties until he goes on the Oxford Circuit, on Thursday, the 13th of June.

CASES OF THE WEEK.

Court of Appeal.

DOVASTON v. DE LA BERTAUCHE AND ANOTHER. No. 1. 4th June.

COUNTY COURT—APPEAL—ORDER OF COUNTY COURT JUDGE REFUSING NEW TRIAL—DETERMINATION OF POINT OF LAW—COUNTY COURTS ACT, 1888 (51 & 52 VICT. c. 43), s. 120.

Appeal from an order of the Divisional Court (Lord Alverstone, C.J., and Lawrance, J.). The action was brought in a county court to recover damages for wrongful dismissal. The defendants justified the dismissal. The jury, after hearing evidence on both sides, found a verdict for the plaintiff for £46 damages. The defendants applied to the county court judge for a new trial, which the judge refused on the ground that the verdict was one which reasonable men might find. Upon appeal to the Divisional Court, the defendants contended that the plaintiff's admissions upon cross-examination were such that the county court judge ought to have granted a new trial. The Divisional Court ordered a new trial. The plaintiff appealed by leave.

THE COURT (A. L. SMITH, M.R., and VAUGHAN WILLIAMS and STIRLING, L.JJ.) allowed the appeal.

A. L. SMITH, M.R., said that the Divisional Court had no jurisdiction to entertain the appeal. The jury, having heard the evidence on both sides, found a verdict for the plaintiff. The county court judge refused a new trial upon the ground that the jury might reasonably find for the plaintiff. The defendants then appealed to the Divisional Court. They did not allege any misdirection by the county court judge or any improper admission or rejection of evidence. The Divisional Court were so dissatisfied with the verdict that they sent the case down for a new trial. The fact of their doing so shewed that there was a question of fact for the jury. There was no question of law raised by the appeal. It was a pure question of fact. Section 120 of the County Courts Act, 1888, only gave an appeal from the determination or direction of the judge in point of law or equity, or upon the admission or rejection of evidence. In *Pole* v. *Bright* (40 W. R. 95; 1892, 1 Q. B. 603) a Divisional Court held that an appeal lay against the refusal of a county court judge to grant a new trial, if his decision was wrong in point of law. Then in *How* v. *London and North-Western Railway Co.* (40 W. R. 292; 1892, 1 Q. B. 391) this court held that no appeal lies from the decision of a county court judge granting a new trial on the ground that the verdict was against the weight of the evidence if the judge applied the right rule of law in considering whether a new trial should be granted. Those two cases were quite consistent with each other. *How* v. *London and North-Western Railway Co.* was exactly in point Unless the county court judge went wrong upon some point of law or equity, no appeal lay from his decision. In the present case there was no point of law at all.

VAUGHAN WILLIAMS and STIRLING, L.JJ., concurred.—COUNSEL, *J. S. Fritchett; Craycroft.* SOLICITORS, *Walker, Son, & Field; Judge & Priestley*, for *P. Baker*, Birmingham.

[Reported by W. F. BARRY, Barrister-at-Law.]

***Re* URMSTON GRANGE STEAMSHIP CO. (LIM.).** No. 2. 4th and 5th June.

COMPANY—REMOVAL OF LIQUIDATOR—COMPANIES ACT, 1862 (25 & 26 VICT. c. 89), s. 141—APPEAL BY LIQUIDATOR.

This was an appeal from a decision of Wright, J., of the 2nd of May last, refusing to remove a liquidator of the above-named company. It appeared that a firm of Holder Brothers had been managers of steamship companies for many years, and the liquidator whom it was sought to remove had been in their service for upwards of twenty years. In the year 1899 a company called Holder & Co. (Limited) was formed for the purpose of amalgamating nine steamship companies, and resolutions were passed for winding up those companies, of which the Urmston Grange Steamship Co. was one. In July, 1899, the liquidator was appointed, and in October, 1900, Holder & Co. (Limited) dismissed the liquidator from their service summarily and without notice. The applicants to remove the liquidator were 117, of the 300 shareholders of the company. It appeared that two actions were pending against Holder Brothers or one of them by the liquidator, one for libel and one for wrongful dismissal, and that in consequence there was considerable hostility between the two. The grounds upon which the application was made were that the liquidator was guilty of immorality, which would tend to involve him in financial difficulties, that he was a person of no means, that he had been guilty of irregularities in respect of the petty cash when in the employ of Holder Brothers, and that there was a risk of his being actuated by animus against Holder Brothers in investigating any charges made against them by the company. With the exception of the first—namely, immorality, all these charges were denied. Wright, J., refused the application to remove the liquidator, his only difficulty in doing so being with regard to the question of animus against Holder Brothers. The applicants, who were largely represented by Holder Brothers, now appealed. The Companies Act, 1862, s. 141, provides that "the court may, on due cause shewn, remove any liquidator, and appoint another liquidator to act in the matter of a voluntary winding up."

THE COURT (COLLINS and ROMER, L.JJ.) dismissed the appeal.

COLLINS, L.J., said that he agreed with Wright, J., though the case was not without difficulty. A liquidator when appointed had a *locus standi* and could not be removed without good cause shewn. Whether a good cause had been shewn was a matter for judicial discretion, and if the discretion was exercised according to law that court ought not to interfere. The question was whether the liquidator was a proper person for the post. With regard to the immorality, which was not denied, that was only a factor in the case, and it was well known that gross immorality was not inconsistent with consummate business ability. On the other hand, the liquidator had been in the employment of Holder Brothers for upwards of twenty years, he had handled large sums of money with integrity, and though some irregularities had been charged against him, they had proved to be trivial and left his integrity untouched. Further, he had been appointed liquidator with the full assent of the shareholders, who knew all about him. No one was better fit to investigate the charges which would probably be made than he was. There might be some bias, but the paramount advantage of having a man as liquidator who was most likely to get at the truth outweighed that; and under all the circumstances he thought they ought not to interfere with the decision below.

ROMER, L.J., agreed, and said that he was not sure that if the matter had come before him in the first instance he should have decided it in the same way, but they ought not now to interfere with the decision of Wright, J., who had found that there was no dishonesty and no irregularity as liquidator. There might be a risk of some animosity against Holder Brothers, but that could be guarded against. It was important that the liquidator should remain at his post on account of his special knowledge; and on the whole his lordship was not prepared to say that the interests of the company would not be best served by retaining the liquidator. At all events they ought not now to interfere.—COUNSEL, *Eve*, K.C., and *Martelli; Rufus Isaacs*, K.C., *Muir Mackenzie*, and *Felix Cassel*. SOLICITORS, *Lewis & Lewis; Turner, Rodgers, & Myatt.*

[Reported by S. E. WILLIAMS, Barrister-at-Law.]

High Court—Chancery Division.

***Re* SARAH DALRYMPLE.** Kekewich, J. 4th June.

WILL—DEVISE OF REAL ESTATE—CONDITION TENDING TO INDUCE TENANT FOR LIFE TO ABSTAIN FROM EXERCISING HIS POWERS—SETTLED LAND ACT, 1882 (45 & 46 VICT. c. 38), s. 51—GIFT OF LEGACIES TO A CLASS DUTY FREE—GIFT TO THE LEGATEES OF SHARE OF RESIDUE.

Originating summons. Sarah Dalrymple, by her will dated the 19th of December, 1897, after bequeathing certain legacies, devised her freehold house and premises call Thorpe Lodge to trustees, upon trust to allow her nephew, Thomas Osborn Springfield, "the full use and benefit thereof during his life or so long as he shall actually and continuously reside there," and upon trust "from and after the death of the said T. O. Springfield, or in his lifetime in case, in the judgment of my trustees . . . he shall cease actually or continually to reside in the said house to an extent, sufficient to comply with my desire in that behalf hereinbefore expressed to sell the said house and premises . . . and invest, &c. . . . and in case such sale shall be made in the lifetime of the said T. O. Springfield by reason of his so ceasing to reside as aforesaid or of my said trustees or trustee so deciding as aforesaid then upon trust during his life to pay one equal third part of the income of such investment to him the said T. O. Springfield for his own use and benefit," and to pay the other two third parts to certain other persons. The will also contained the following clause: "I declare that all legacies, devises, and bequests of this my will hereinbefore or hereinafter given or made to or in favour of females shall be for their respective sole and separate use and free of legacy duty." The gift of the residue was to six persons, three males and three females, as tenants in common. The testatrix died on the 24th of March, 1900. Shortly after the death of the testatrix T. O. Springfield informed the trustees that it was impossible for him to reside at Thorpe Lodge, and requested them to sell it. The questions raised by the summons were (*inter alia*) whether T. O. Springfield was entitled to the whole or only to one third part of the income for life of the purchase-moneys of Thorpe Lodge, and also whether the legacy duty in respect of the shares of the three female legatees in the residuary estate was to be payable out of the shares of the males or how it ought to be borne.

KEKEWICH, J., said the limitation in the will to T. O. Springfield undoubtedly tended to induce him not to exercise his powers under the Settled Land Act. Precisely the same point came before Pearson, J., in *Re Paget* (30 Ch. D. 161), and he made no distinction between a tenant for life and a person who had the powers of a tenant for life under section 58 of the Settled Land Act, and so by section 51 he held the condition to be invalid. Against that is the decision in *Re Haynes* (37 Ch. D. 306). With great respect to the decision of North, J., I do not understand the position he took up. Following *Re Paget* I therefore hold the condition to be invalid. On the second point his lordship said a gift of a legacy free of legacy duty means, I take it, that the duty is to be paid before the residue is to be calculated. So there is great difficulty in saying that legacy duty on a share of residue is to be paid. To do so here would be to construe "free of legacy duty" in two ways. In one case it would mean that it was to be paid out of residue; in the other that the males were to pay in exoneration of the females. Moreover, the gift of residue is to males and females as tenants in common, and, though the gift is not to them in equal shares, yet that must be implied.—COUNSEL, *George Cave; Renshaw*, K.C., and *Lyttelton Chubb; Warrington*, K.C., and *R. J. Parker; Hamilton*, K.C., and *H. B. Howard*. SOLICITORS, *Bircham & Co.; Satchell & Chapple; Bloxam, Ellis, & Co.*

[Reported by H. CLAUGHTON SCOTT, Barrister-at-Law.]

High Court—Probate, &c., Division.

LLOYD *v.* **LLOYD.** Jeune, P. 4th June.

DIVORCE—CONVICTION OF PETITIONER FOR DESERTION—SECTION 31, MATRIMONIAL CAUSES ACT, 1857.

In this case Pierce Henry Lloyd petitioned for a dissolution of his marriage with Mary Elizabeth Lloyd on the ground of her adultery. The case was undefended. It appeared that the parties had been married on the 3rd of June, 1895, at the Bethania Wesleyan Chapel, Flynnongroew, Flintshire, and one child had been born of the marriage, on the 28th of May, 1896. After that time unpleasantness sprang up between the parties, apparently owing to the petitioner's suspicions of the fidelity of his wife. The respondent then left her husband, but came back to him after a few weeks, but at the end of 1897 the petitioner left his wife, and in January, 1898, she commenced proceedings at the Holywell Petty Sessions for a separation order under the Summary Jurisdiction (Married Women) Act, 1895, on the ground of the petitioner's desertion of her. The petitioner was convicted and was ordered to pay twelve shillings a week towards his wife's maintenance. She subsequently committed the adultery now complained of (which she did not deny), and the petitioner prayed the court to grant him a *decree* in the exercise of its discretion under section 31 of the Matrimonial Causes Act, 1857. The case of *Sergent* v. *Sergent and Weaver* (64 L. T. N. S. 236) was cited.

JEUNE, P., in giving judgment, said that although the petitioner had been convicted of desertion, he did not doubt that the court had power to grant the decree. In the present case he thought that the adultery was sufficiently proved, and he also thought that the justices were right in holding that the petitioner had deserted his wife, but what had occurred subsequent to the conviction threw sufficient light on the conduct of the wife to shew that the suspicions which the petitioner entertained in regard to his wife's fidelity, which had caused him to leave her and which conduct had resulted in his being convicted of deserting her, were well founded, and this court could not hold that such conduct ought to preclude the petitioner from his right to a divorce. The court accordingly pronounced a decree *nisi*.—COUNSEL, *H. C. Davenport.* SOLICITORS, *Marpole & Marpole*, for *Bromley Jones*, Holywell.

[Reported by GWYNNE HALL, Barrister-at-Law.]

High Court—King's Bench Division.

STODDART *v.* **THE ARGUS PRINTING CO. (LIM.).** Div. Court. 4th June.

GAMING—BETTING—HOUSE KEPT FOR PURPOSE OF RECEIVING DEPOSITS OF MONEY IN CONNECTION WITH BETTING—ADVERTISING SUCH HOUSE—BETTING HOUSE ACT, 1853 (16 & 17 VICT. C. 119), SS. 1 AND 7—BETTING HOUSE ACT, 1874 (37 VICT. C. 15), S. 3.

This was a case in which points of law raised on the pleadings in the action were ordered to be tried by the court. The plaintiff's claim was for damages for breach of contract. The plaintiff, Joseph Stoddart, carried on business as the proprietor of a newspaper called *Sporting Luck*. By an agreement, dated the 20th of March, 1890, the defendants agreed with the plaintiff to print and publish *Sporting Luck* on his behalf every week on terms and conditions as specified in the agreement. One of such conditions was that they were not to be called upon to publish any illegal matter. It was in respect of this agreement that the plaintiff claimed damages for the breach thereof. The defendants, by their defence, alleged that they were ready and willing to fulfil their said contract so far as they might legally print the said newspaper, but they refused to do so because the plaintiff called upon them to print and publish for circulation in England with the said newspaper, and as part of it, an advertisement headed "International Supplement" relating to a horse-racing competition, the publication of which, according to the defendants' contention, constituted an offence against the Betting House Acts of 1853 (16 & 17 Vict. c. 119), s. 7, and 1874 (37 & 38 Vict. c. 15), s. 3. From the particulars of the defence it appeared that on the 30th of October, 1900, one Ada Jane Stoddart was tried and convicted at the Central Criminal Court for that she, being the occupier of an office in the city of London, had unlawfully opened and kept or used that office for the purpose of money being there received by her as the consideration of undertaking to pay thereafter money on events relating to horse-racing in contravention of section 1 of the Betting House Act of 1853. The learned judge reserved the point and stated a case for the consideration of the Court of Crown Cases Reserved as to whether the then defendant had in law been guilty of any offence against the said section of the said Act, and on the 17th of November, 1900, the conviction was unanimously affirmed. It was proved that the said A. J. Stoddart was the occupier of an office at 10, Red Lion-court, and the registered proprietor of a newspaper published weekly at that office. Each number of the paper contained a notice of a "coupon competition," that is to say, of a promise by the then defendant to pay a certain sum of money to such persons as should correctly guess the result of a certain horse-race then shortly about to be run and should write their guesses upon certain forms called "coupons," which were issued with each number of the newspaper, and should return the coupons so filled up to the defendant's office, together with the sum of one penny in respect of each guess made. A large number of persons every week sent into the said office coupons filled up as aforesaid accompanied by remittances of money. Subsequently to the date of the said decision of the Court for Crown Cases Reserved the plaintiff instructed the defendants under the agreement referred to in paragraph 1 in the defence to publish an advertisement called "An International Supplement," containing a number of coupons as part of the newspaper called *Sporting Luck* in which was published to the English public a system of competition identical in all respects with that in regard to which the said A. J. Stoddart had been convicted except that the competitors were no longer to send their moneys or deposits to 10, Red Lion-court or to any place of receipt or deposit within the jurisdiction of the English courts, but were to send all moneys to, and it was expressly announced that in the future all moneys would only be received at, an office which had been opened by the plaintiff for the purpose of receiving them at Middleburg in the kingdom of Holland. The defendants refused to print the said advertisement, contending that as the said office in Middleburg in Holland had been opened by the plaintiff for a purpose which would infringe section 1 of the Betting House Act of 1853, and section 3 of the Betting House Act, 1874, if it had been so opened in this country, the publication of an advertisement in relation to such an office was illegal under the aforesaid sections of the two several Acts of Parliament, which refusal constituted the breach alleged in the statement of claim.

THE COURT (BRUCE and PHILLIMORE, JJ.) gave judgment for the plaintiff.

PHILLIMORE, J., in giving judgment, said there were two different offences dealt with by section 1 of the Betting House Act of 1853: (1) Keeping a betting-house for the purpose of betting with persons resorting thereto, which by *Reg.* v. *Brown* (43 W. R. 222; 1895, 1 Q. B. 119) was held to mean persons physically resorting thereto. (2) Keeping a house for the purpose of any money or valuable thing being received by or on behalf of the owner for the consideration of any agreement to pay any money on any event or contingency relating to a horse-race. Under the second head Mrs. Stoddart was convicted, and the conviction was upheld by the Court of Crown Cases Reserved in *Reg.* v. *Stoddart* (49 W. R. 173; 1901, 1 Q. B. 177). Section 7, which imposes a penalty on persons advertising betting houses, refers back to section 1, and is directed against houses kept for the purposes mentioned in the first part of section 1 of the Act of 1853, and does not refer to the second part; and, as it merely deals with the advertisement of "such" houses—*i.e.*, with houses kept for the purposes of betting with persons physically resorting thereto, it does not constitute the acts disclosed by the defence an offence. It does not touch advertising a house kept for receiving deposits. Nor are those acts within section 3 of the Act of 1874. In coming to this conclusion, he, the learned judge, did not wish to express any opinion as to whether the plaintiff was carrying on an illegal business, which question was pending in another court.

BRUCE, J., agreed for the same reasons. Judgment for the plaintiff.—COUNSEL, *Lord Coleridge*, K.C., *Stutfield*, and *Bovill-Smith*; *C. W. Mathews.* SOLICITORS, *Le Brasseur & Oakley*; *Lewis & Lewis.*

[Reported by E. G. STILLWELL, Barrister-at-Law.]

CASES OF LAST SITTINGS.

Court of Appeal.

"THE CHILTONFORD." No. 1 (with Nautical Assessors). 17th May.

SHIP—SALVAGE—ALLEGED EXCESSIVE AWARD.

Appeal against a salvage award for £10,000 made by Sir Francis Jeune, on the ground that the sum was excessive in the circumstances. The claim was made against the defendants, the owners of the barque *Chiltonford*, by the owners and crews of the tugs *Engery*, *Perseverance*, and *Enterprize*, all belonging to the Corporation of Preston, and the crew of the Lytham lifeboat *Charles Biggs*, for salvage remuneration in respect of services rendered to the Glasgow barque *Chiltonford* from the 21st to the 32rd of December last. *The Chiltonford* was a steel barque of 2,198 tons net register, carrying a crew of thirty hands. On the morning of the 19th of December she left the Mersey in tow of the tug *Stormcock*, bound on a voyage to Sydney, with a general cargo. About midnight a heavy gale sprang up, and the force of the wind was such that the tug could only with the greatest difficulty hold the ship. The bad weather continued with such force that on the morning of the 20th, about seven o'clock, *The Stormcock* for her own safety decided to turn *The Chiltonford* so that she could anchor with her bow to the gale, and herself run for shelter under the lea of the land. and the crew of the barque decided, after putting out their anchors, to get on board the tug, which eventually reached the Mersey in safety. The following morning, the gale having somewhat abated, the tug put out in search of *The Chiltonford*, but on reaching the place where she had been left riding at anchor she was nowhere to be seen, and it was subsequently ascertained that she had gone ashore on the Lancashire shore near Southport. From that position the barque was eventually rescued by the three tugs, the plaintiffs in the action, all of which belonged to the Lancashire Salvage Association, assisted by the crew of the Lytham lifeboat. The defendants admitted the services rendered, but the case came into court for assessment of salvage, the value of the saved property being valued at £60,000. The President, taking into consideration all the circumstances of the case, awarded the lifeboatmen £1,500; Mr. Cochrane, the dredging master, £900; *The Engery*, £2,700; *The Perseverance*, £2,500; and to *The Enterprise*, £2,400, making in all a total of £10,000. The defendants appealed on the sole ground that the sums awarded were excessive.

THE COURT (Lord ALVERSTONE, C.J., A. L. SMITH, M.R., and ROMER, L.J.) dismissed the appeal.

Lord ALVERSTONE, C.J., in giving judgment, said: Speaking for himself he confessed he had very considerable difficulty in making up his mind in this case, but he did not hesitate to say that he thought the awards were on a very liberal scale. He agreed with the appellants' counsel that in

one's own mind one must to a certain extent make a kind of estimate and then consider whether the total awarded was so large that one ought to interfere with the award, but he could not say that the learned judge had wrongly applied or had taken in consideration unduly any of the elements which were to be taken in consideration in dealing with salvage awards. He thought the court could not interfere, and for this reason: It was perfectly true that though services of equal merit might be rendered, the amount which was saved was so small that adequate salvage remuneration could not be given, and the courts had recognized that whereas on many occasions these services had to be rendered for no substantial reward, or for an inadequate reward, where the court was in possession of subject-matter which enabled a liberal award to be given, liberal awards were given in order to induce promptitude of action, willingness to risk property, and, if necessary, willingness to risk life. Here the value was very considerable—£60,000—and therefore there was a sum out of which a liberal award could be made. [His lordship then referred to the facts, and, continuing, said:] Therefore there were in a high degree in the present case the two necessary elements to support a liberal award—namely, valuable property saved from imminent and great danger. It was pressed on the court by the appellants that the learned President had attached undue weight to the danger the salvors exposed themselves and their property to, but it was not suggested that he has misapplied any rule of law which was applicable to salvage cases. Therefore, although he considered the award was on such a liberal scale that he should not, had he been sitting as judge of first instance, have awarded so much, he did not feel that there had been such an excess as to justify his interfering with the award. The appeal therefore failed.

A. L. SMITH, M.R., and ROMER, L.J., delivered judgments to a like effect.—COUNSEL, *Sir R. Reid*, K.C., and *Aspinall*, K.C.; *Balloch* and *A. H. Maxwell*; *Laing*, K.C.; *W. S. Glynn*. SOLICITORS, *Weightman, Pedder, & Weightman*; *Hill, Dickinson, & Hill*, for *H. Hamer & Co.*, Preston.

[Reported by ERSKINE REID, Barrister-at-Law.]

High Court—Chancery Division.

Re **FURNESS. FURNESS** *v.* **STALKARTT.** Joyce, J. 11th and 13th May.

WILL—SETTLEMENT—SATISFACTION—ABSOLUTE AND SETTLED LEGACIES.

George Furness, by his will dated the 23rd of January, 1878, devised and bequeathed his freehold, copyhold, and leasehold estates, and also the residue of his personal estate, to his trustees upon trust to call in and convert the same into money, and to hold the proceeds upon certain trusts during the life of his widow, the plaintiff, or till she should marry again, and after her death upon certain trusts for the benefit of his children in equal shares. By a codicil to the said will, dated the 14th of February, 1885, he directed that, instead of his residuary estate being divided in equal shares between all his children, each of his daughters should receive the sum of £20,000 at the age of twenty-five, and that £15,000 thereof should be settled upon her for life for her separate use without power of anticipation, and after her death upon certain trusts for the benefit of her children. Upon the marriage of the testator's daughter, the defendant Margaret Joanna Stalkartt, in 1893, he settled £7,300 2½ per cent. Consols for her benefit upon certain trusts which did not exactly coincide with those in the settlement. The testator died on the 9th of January, 1900, and his will was proved by the plaintiff as surviving executrix on the of 9th of February in the same year. The question then arose whether the sum so settled was to be regarded as given in satisfaction of the legacy, and if so whether it was to be set against the settled portion or the portion given absolutely. On behalf of the defendant Mrs. Stalkartt, it was admitted that it must be regarded *pro tanto* as a satisfaction of the legacy, and it was argued that it must be set against the settled part. On behalf of her infant son it was contended that it should be set against the £5,000 given absolutely, and that the remainder should be additional to the £20,000 bequeathed; or failing this, that the £7,300 should be apportioned rateably between the two sums of £15,000 and £5,000. *Cur. adv. vult.*

May 13.—JOYCE, J.—As a general rule, when a parent by his will gives a legacy to a child without expressing the purpose with reference to which it is given, he is understood to be giving what is commonly called a portion, and in consequence of the leaning of Courts of Equity against double portions, if the testator afterwards in his lifetime advances a portion on the marriage of the child, the presumption arises that it was intended to be a satisfaction of the legacy either altogether or *pro tanto*. A bequest of a sum of money to a daughter absolutely may be adeemed by a subsequent settlement on her marriage, and the same is the case although the bequest to the daughter by the will is thereby settled upon her and her family. Nor is the presumption in favour of ademption rebutted by the circumstance that the limitations of the portions under the will are different from the limitations in the settlement. Again, if a legacy appears on the face of a will to be bequeathed even to a stranger for a particular purpose, and the subsequent gift be made by the testator for the very same purpose, a presumption is raised *primâ facie* that such gift is an ademption. In the present case the testator by the joint effect of his will and codicil provided for each of his daughters the sum of £20,000, £15,000 part thereof to be settled to go as in the will mentioned, and the remaining £5,000 to be paid to the daughters. Subsequently upon the marriage of a daughter he settled a sum of between £7,000 and £8,000, the limitations under this settlement not being the same as those of the £15,000 under the will. It was not, and indeed could not, have been disputed that this sum settled upon the marriage must be taken as a *pro tanto* satisfaction of the £20,000 legacy, but the question remained whether it must be taken and considered as in ademption of the £15,000 or of the £5,000, the two parts into which the testator divided the legacy of £20,000. If the limitations in the will and the settlement had been the same there could have been no doubt upon the matter. To the learned judge's mind the truth and common sense of the matter appeared to be that when a legacy to a child is taken to be adeemed by a subsequent portion it is because the testator is considered, in making provision for his children, to be performing a moral obligation, and if he afterwards upon any occasion during his lifetime provides a portion he is thereby by anticipation performing *pro tanto* the obligation above referred to, and in his lifetime intending to discharge or prepaying the legacy given by the will. This idea is, I think, well founded in reason and upon experience. In the present case which part of the testator's provision for his daughters, ought the testator to be considered as intending to discharge by the subsequent settlement? There are no special circumstances to shew. If the testator could be asked the question, I cannot seriously doubt that he would answer that the settlement was to be taken in satisfaction *pro tanto* of the settled portion of the legacy, there being no reason whatever that I can see why the daughter's absolute legacy of £5 000 should be taken away or diminished, and this accordingly I decide to be the result.—COUNSEL, *J. M Stone*; *Hughes*, K.C., and *Vaughan Hawkins*; *Younger*, K.C., and *F Stallard*; *A. L. Ingpen*. SOLICITORS, *Stones, Morris, & Stone*; *Hopgoods & Dowson*.

[Reported by J. F. IRELIN, Barrister-at-Law.]

High Court—King's Bench Division.

Re **AN ARBITRATION BETWEEN MARGETTS AND THE OCEAN ACCIDENT AND GUARANTEE CORPORATION (LIM.).** Div. Court. 21st May.

SHIP — INSURANCE POLICY — ACTUAL COLLISION WITH ANOTHER VESSEL, WHARF, MOORING, PIER, OR SIMILAR STRUCTURE—FOULING ANCHOR IN BED OF RIVER—LIABILITY OF INSURANCE CORPORATION UNDER POLICY.

Special case stated by arbitrator on a question of law. The dispute arose under a policy of insurance which provided *inter alia* that the corporation would pay to Messrs. P. Margetts, the assured, the amount of any damage which should be caused to any tugs belonging to the assured and covered by the policy owing to actual collision between any such tug, and any vessel, wharf, mooring, pier, or similar structure. On the 13th of August, 1900, *The Ada*, one of the tugs covered by the policy, while coming up the River Thames on the north side of mid-channel, ported her helm to avoid a down-coming steamer and struck upon an anchor in the bed of the river and sank. The anchor was attached by about twenty or thirty fathoms of chain to a schooner lying on the north side of the river. The question was whether upon the facts stated the corporation were liable to pay to the assured the amount of the damages to the said tug. On behalf of the owners of the tug, it was contended that an anchor being a necessary part of a ship, the accident to *The Ada* arose out of a collision with a ship or her moorings within the meaning of the policy, and *The Warwick* (7 Asp. M. C. 545), *European and Australian Royal Mail Co* (*Limited*) v. *Peninsular and Oriental Steam Navigation Co.* (2 Mar. L. C. 351), and *The Niobe* (1891, A. C. 401) were cited in support of this contention. On the other hand, counsel for the corporation submitted that a collision with the anchor in the river bed which was attached to the bows of a vessel lying on the north side of the Thames with her after part on the mud, was not "a collision with a vessel" within the meaning of the policy, and *Hoskins* v. *Pickersgill* (3 Doug. 222) was referred to.

THE COURT (RIDLEY and PHILLIMORE, JJ.) held that the anchor being part of a vessel, a collision with an anchor was a collision with a vessel within the meaning of the policy. The authorities shewed that the courts had held parts of a vessel in such questions as this as being the vessel itself for considering whether the vessel was in collision. There had been no direct decision with regard to an anchor, but in the case of *The Niobe* a collision with the tug towing the vessel was held to be collision with the vessel. That was an *a fortiori* case, and on that authority they answered the question of liability of the corporation in the affirmative.—COUNSEL, *A. E. Nelson*, for Messrs. Margetts; *Spencer Bower*, for corporation. SOLICITORS, *Lowless & Co.*; *Hurd & Son*.

[Reported by ERSKINE REID, Barrister-at-Law.]

DIERKEN *v.* **PHILPOT.** Div. Court. 9th May.

PRACTICE—COUNTY COURT—ACTION WRONGLY REMITTED—TRIAL BY COUNTY COURT JUDGE—PROHIBITION—COUNTY COURTS ACT, 1888 (51 & 52 VICT. c. 43), s. 65.

This was an appeal by the plaintiff in the action from an order made by DAY, J., in chambers, directing that a writ of prohibition should issue to the judge of the Westminster County Court, his Honour Judge Lumley-Smith. The action was brought by Dierken against Philpot to recover the sum of £116 in respect of arrears of salary. On a subsequent date, the 5th of November, 1900, the plaintiff made an application before a master in chambers for an order that the action should be tried in the county court, stating that he abandoned his claim for the excess over £100, and an order under section 65 of the County Courts Act, 1888, was made remitting the case to the Westminster County Court. The defendant never appealed against this order, and the action in due course came on for trial in the county court, when objection was taken to the master's order on the ground that he had no jurisdiction to make it. The learned judge held, however, that he was bound by the order to hear the case, and the plaintiff recovered the £100. On the 26th of March, 1901, the defendant applied for a writ of prohibition against the learned county court judge and Day, J., ordered a writ to issue. This

was the order now appealed from. For the appellant it was now contended that the county court judge would have done wrong if he had regarded the order of the High Court remitting the action to be tried by him as nugatory, and that he had acted rightly in trying the case. If he had not done so he would have rendered himself liable to a *mandamus*. He was bound to obey the order and could not inquire into the circumstances under which it was made: *Reg.* v. *Judge of Marylebone County Court* (50 L. T. 98), *Blades* v. *Lawrance* (22 W. R. 643, L. R. 9 Q. B. 374). On behalf of the defendant the following cases were cited: *Hodgson* v. *Bell* (38 W. R. 325, 24 Q. B. D. 525), *Reg.* v. *Judge of City of London Court* (1891, 2 Q. B. 71, 39 W.R. Dig. 65), *Mayor of London* v. *Cox* (16 W. R. 44, L. R. 2 H. L. 239).

THE COURT (LORD ALVERSTONE, C.J., and LAWRANCE, J.) allowed the appeal.

LORD ALVERSTONE, C.J., in giving judgment, said that the case was not without difficulty, but, in his opinion, the writ of prohibition in this case ought not to issue. The master did wrong in making an order under section 65 remitting the action. This was clear from the decision in *Hodgson* v. *Bell*, where it was decided that where the claim on the writ is reduced to a sum not exceeding £100 by payment of part after action brought, there is no jurisdiction to remit the action under section 65. But seeing that the defendant let the time go by and never appealed against the master's order, it was now too late for him to raise the point by way of prohibition. It would be putting too great a burden upon the county court judges if they were obliged to decide whether they should obey an order that had not been appealed against.

LAWRANCE, J., concurred. Order for prohibition discharged with costs.—COUNSEL, *C. H. Lindon; E. Lewis Thomas.* SOLICITORS, *G. B. Howard & Son; Robert Todd.*

[Reported by E. G. STILLWELL, Barrister-at-Law.]

HERBERT *v.* **McQUADE.** Div. Court. 4th May.

REVENUE—INCOME TAX—ANNUAL PROFITS OR GAINS—PROFITS OR GAINS ARISING FROM AN OFFICE—PERQUISITE ACCRUING BY REASON OF SUCH OFFICE—GRANT BY CLERGY SUSTENTATION FUND—INCOME TAX ACT, 1853 (16 & 17 VICT. C. 34), S. 2, SCHEDULE D—INCOME TAX ACT, 1842 5 & 6 VICT. C. 35), S. 146, SCHEDULE E, RULES 1, 4.

The question in this case was whether a clergyman was assessable to income tax in respect of a grant made to him by the Norwich Diocesan Branch of the Queen Victoria Sustentation Fund. The fund was established in the year 1897 with the object of obtaining from Church people the necessary funds for providing an adequate remuneration for beneficed clergy. It was intended to aid in raising the income of benefices which were normally very small, or which had suffered reduction owing to agricultural depression or other cause, and in raising the incomes of benefices which, though nominally of substantial amount, were insufficient owing to the large population and consequent claims on the incumbents. The Norwich branch was affiliated to the central fund but was controlled entirely by the local diocesan council, and such council reserved to itself the entire control over the apportionment and distribution of grants, with the right to consider all the circumstances of the cases for which petitions were made. The grants were made to benefices with a net income of £200 a year and under, and in apportioning them the population, duties, work, and all claims upon the incumbent were considered. The receipt of a grant was no guarantee of its continuance. The *onus* rested on each incumbent to decide whether his own circumstances really justified him in applying for the benefit of the fund. When a benefice fell vacant in the course of the year the grant was divided between the outgoing and incoming incumbent in proportion to the length of time during the year for which each had been incumbent. Grants of £65 each were made by the Norwich branch to the appellant, the incumbent of a benefice within the diocese, for the years 1900 and 1901 respectively. Grants had also been made to him for the years 1897, 1898, and 1899. The appellant was assessed to the income tax in respect of the grants for 1900 and 1901 under Schedule E of the Income Tax Acts. The commissioner upheld the assessment, but stated a case for the opinion of the High Court. It was contended on behalf of the appellant that he was not chargeable, and *Gresham Life Assurance Society* v. *Styles* (3 Tax. Cas 185), *Re Strong* (1 Tax. Cas. 207), *Tennant* v. *Smith* (1892, A. C. 150), and *Cuxon* v. *Turner* (22 Q. B. D. 150) were cited. On behalf of the Crown it was contended that the grants were assessable as either "salary," "perquisite," or "profits" which "accrued by reason of a public office or employment of profit" under and by virtue of section 2 of 16 & 17 Vict. c. 34, or section 146, Schedule E, rules 1 or 4 of 5 & 6 Vict. c. 35.

THE COURT (KENNEDY and PHILLIMORE, JJ.) gave judgment for the appellant.

KENNEDY, J., said that the ground on which he based his judgment was that the payments sought to be assessed did not accrue to the appellant by reason of his office. No doubt it was by reason of his holding the office that he had the opportunity of receiving the grant, but that did not make the grant a payment accruing by reason of his office. The grant itself was uncertain both in amount and in the time of payment. It depended largely upon personal qualifications and was entirely in the discretion of the persons making the grant.

PHILLIMORE, J., gave judgment to the same effect upon the authority of *Cuxon* v. *Turner*. He dissented from the decision in *Re Strong*.—COUNSEL, *Danckwerts*, K.C., and *F. Low; Sir R. Finlay*, A.G., *Sir E. Carson*, S.G., and *S. A. T. Rowlatt*. SOLICITORS, *Crowders, Vizard, & Oldham*, for *Miles & Reeve*, Norwich; *Solicitor of Inland Revenue*.

[Reported by C. G. WILBRAHAM, Barrister-at-Law.]

In the Matter of **AN ARBITRATION BETWEEN THE BWLLFA AND MERTHYR DARE STEAM COLLIERIES (1891) (LIM.) AND THE PONTYPRIDD WATERWORKS CO.** Div. Court. 22nd May.

COMPENSATION FOR COAL TAKEN UNDER LAND OCCUPIED BY WATERWORKS COMPANY—NOTICE TO TREAT—SUBSEQUENT RISE IN PRICE OF COAL—BASIS OF COMPENSATION.

Special case stated by an umpire for the opinion of the court. On the 2nd of September, 1898, the Bwllfa and Merthyr Dare Steam Collieries (1891) (Limited), who were the lessees of certain mines, veins, beds, and seams of coal lying under a portion of a certain reservoir authorized to be made under the Pontypridd Waterworks Act, 1892, and were desirous of and intended working such coal, gave notice to the Pontypridd Waterworks Co. that they would after thirty days from the date of the notice begin to work such seam of coal unless in the meantime the waterworks company should signify their willingness to make compensation therefor. On the 15th of October, 1898, the waterworks company gave notice to the coal company that they were willing to compensate them for such coal as they required them to leave unworked, which portion of coal they specified. On the 2nd of March, 1899, the coal company gave notice to the waterworks company that unless they were willing to agree to pay to the coal company the sum of £6,084 the coal company decided to have the amount of compensation settled by arbitration under the Lands Clauses Consolidation Act, 1845. The waterworks company refused to pay the coal company the aforesaid sum. Certain arbitrators and an umpire were appointed and sat as such for several days, when it was agreed between the parties that the arbitrators should retire and that the umpire should sit alone during the remainder of the reference, and should give his award alone. Coal rose in value subsequently to the date of the said notice of the 15th of October, 1898. During the reference the coal company claimed that in consequence of such rise the compensation to be paid by the waterworks company should be assessed, not on the basis of the knowledge of the value of the said part of the said mines, veins, beds, and seams which was possessed at the date of the said notice (which basis is hereinafter called the "first alternative"), but on the basis of the knowledge of such value which was subsequently acquired (which basis is hereinafter called the "second alternative"). The coal company claimed according to the second alternative that they were entitled to receive by way of compensation £10,000 16s. 1d., and in such claim were specifically included sums claimed for (*a*) wastage, and (*b*) loss by working two acres to the dip, and (*c*) a sum of 10 per cent. to be paid for compulsory purchase. During the reference it was, at the request of the parties, arranged that the umpire should state in the form of a special case for the opinion of the court the question whether the coal company were entitled to have the compensation assessed according to the first alternative, or according to the second alternative, and that he, the umpire, should determine what sums the coal company were respectively entitled to by way of compensation according to the first alternative and the second alternative respectively. In determining such sums the umpire made allowances for wastage and also for loss by working to the dip, but he did not allow any sum for compulsory purchase. If the coal company were entitled to have compensation according to the first alternative the umpire awarded them the sum of £2,950; if according to the second alternative, then the umpire awarded them the sum of £5,650. The question for the opinion of the court was whether the coal company were entitled to have the compensation according to the first alternative or according to the second alternative. During the arguments the following cases were cited: *Brown and Others* v. *The Commissioner for Railways* (15 A. C. 240, 38 W. R. Dig. 62), *Haynes* v. *Haynes* (9 W. R. 497, 30 L. J. Eq. 578), *Penny* v. *Penny* (16 W. R 671, L. R. 5 Eq. 227), *Rhys* v. *Dare Valley Railway Co.* (23 W. R. 23, L. R. 19 Eq. 93).

THE COURT (RIDLEY and PHILLIMORE, JJ.), in giving judgment, said they thought that the compensation should not be assessed on the basis of the knowledge of the value of the seam of coal which was possessed at the date of notice, but on the basis of the knowledge of such value which had been subsequently acquired. It was proper in such a case as the present to take into consideration evidence of what had taken place since the notice to treat was given. The judgment of the court would therefore be that the coal company should receive by way of compensation the sum of £5,650 according to the umpire's assessment under the second alternative. Judgment accordingly.—COUNSEL, *Abel Thomas*, K.C., and *Benson; F. B. Williams*, K.C., and *Trevor Lewis*. SOLICITORS, *Bell, Brodrick, & Gray*, for *C. & W. Kenshole*, Aberdare; *Wrentmore & Son*, for *F. James & Sons*, Cardiff.

[Reported by E. G. STILLWELL, Barrister-at-Law.]

Winding-up Cases.

Re **CRICHTON'S OIL CO. (LIM.).** Wright, J. 15th May.

COMPANY—VOLUNTARY WINDING UP—DISTRIBUTION OF ASSETS—PREVIOUS LOSS OF CAPITAL—LAST YEAR'S PROFITS—PREFERRED AND ORDINARY SHAREHOLDERS—REVENUE REPRESENTING DIVIDENDS NEVER DECLARED.

This was a summons by the voluntary liquidator of the above company, asking how the profits made by the company in the last year of its trading should be distributed as between its preference and ordinary shareholders. The capital of the company was divided into preference and ordinary shares, and by the memorandum it was declared that the preference shares should confer on the holders a right to a fixed cumulative preferential dividend of 5 per cent. per annum on the capital paid up thereon, subject to the provisions of the company's articles of association. By clause 6 (*b*) of the articles it was provided "that in the event of the winding up of the company, the surplus assets should be distributed between the holders of preference and ordinary shares according to the amount paid up

thereon." Clause 108 was as follows: "The profits of the company from time to time available for dividend shall, subject to the provisions hereinbefore contained, be applicable: First, to the payment of the fixed cumulative preferential dividend on the preference shares in the original capital; secondly, the surplus shall be applicable to the payment of dividends on the other shares in proportion to the capital paid up thereon; but the whole or any part thereof may be carried to reserve or otherwise dealt with as the directors with the sanction of the company in general meeting may from time to time determine." Clause 110: "The company in general meeting may declare a dividend to be paid to the members . . ." Clause 112: "No dividend shall be payable except out of the profits arising from the business of the company." Clause 139: "If the company shall be wound up, and the surplus assets shall be insufficient to repay the whole of the paid-up capital, such surplus assets shall, subject to clause 6 (*b*), be distributed so that as nearly as may be the losses shall be borne by contributories in proportion to the capital paid up or which ought to have been paid up on the shares in respect of which they are contributories at the commencement of the winding up" In August, 1900, a contract for sale was entered into with an agent for a new company for the sale of the assets of the above company exclusive of any undivided nett profits of the business appearing in the balance-sheet for the year ending the 31st of March, 1900. Such profits were £1,675 6s. 11d. Dividends on the preference shares were paid up to the 31st of March, 1896, but from that date, no profits being made till 1900, no dividends were declared. The books of the company shewed a debit of over £4,000 for losses in previous years. On the company going into voluntary liquidation the preference shareholders claimed that the said profits of £1,675 6s. 11d. should be realized without having regard to the previous debit for the purpose of paying dividends on preference shares as from the 31st of March, 1896. In support of the summons *Re National Bank of Wales (Limited)* (48 W. R. 99; 1899, 2 Ch. 629) was referred to; and in opposition *Bishop* v. *Smyrna and Cassaba Railway* (43 W. R. 647; 1895, 2 Ch. 265), and *Re Odessa Waterworks Co.* (W. N. 1897, 166).

WRIGHT, J., said it was for the preference shareholders to shew not only that the fund might have been, but that it was as a fact, made available for dividend, this they had failed to do, no recommendation or declaration of dividend ever having been made. The claim of the preference shareholders therefore failed.—COUNSEL, *A. R. Kirby; A. Dunham; F. Cassel.* SOLICITORS, *Ashurst, Morris, Crisp, & Co.*, for *Stanton, Atkinson, & Hudson*, Newcastle-upon-Tyne; *George Reader & Co.*, for *Hoyle, Shipley, & Hoyle*, Newcastle-upon-Tyne.

[Reported by W. MORRIS CARTER, Barrister-at-Law.]

LAW SOCIETIES.

THE INCORPORATED LAW SOCIETY.

The annual general meeting of the members of the society will be held in the Hall of the Society on Friday, the 12th of July next, at 2 p.m. precisely, for the election of a president and vice-president of the society, of ten members of the Council, in place of ten members who go out of office by rotation, of three auditors, and for other purposes of the society.

The following are the names of the members of the Council who go out of office by rotation, and so far as is known all of them with the exception of Mr. G Keen, Mr. C. T. Saunders, Mr. R. L. G. Vassall, will be nominated for re-election:—Messrs. Addison, Attlee, Beale, Hollams, Keen, Milne, Sir A. K. Rollit, Messrs. Saunders, Vassall and Wightman.

By order, E. W. WILLIAMSON, Secretary.

LAW STUDENTS' JOURNAL.

COUNCIL OF LEGAL EDUCATION.

The following are the awards made by the Council upon the Trinity Examination held in Lincoln's-inn-hall on the 21st, 22nd, and 23rd of May last:—

FINAL EXAMINATION.

Class I.—WILFRED G. BROWN, Lincoln's-inn, studentship of 100 guineas a year, tenable for three years; ERIC R. WATSON, Inner Temple, certificate of honour.

Class II.—Harold B. Barkworth, Inner Temple; Robert Bayly, Lincoln's-inn; Hugh C. Bischoff, Inner Temple; Arthur H. W. Uresc, Middle Temple; Llewelyn C. Dalton, Gray's-inn; Charles Doughty, Inner Temple; Edward R. Harrison, Middle Temple; Edward S. Hare and Francis H. B. Hodgson, Inner Temple; John J. Howe, Gray's-inn; Robert Obbard, Inner Temple; Michael H. Rafferty, Lincoln's-inn; Charles O. Remfry, Inner Temple; Frederic H. Smitton, Lincoln's-inn.

Class III.—Sydney Ashley, Bhupendra N. Basu, and Kasi P. Basu, Gray's-inn; Pestonji S. Batlivala, Lincoln's-inn; Charles de S. Batuvantudave, Gray's-inn; Bernhard W. Bentinck, Middle Temple; Thomas P. Black, Lincoln's-inn; Frank H. Boddington, Gray's-inn; Wensley H. Bond, George F. S. Bowles, Henry L. Brackenbury, James E. J. Brudenell-Bruce, and Reginald C. Carter, Inner Temple; George J. Christian and Mohiny-mohan Chuckerbutty, Gray's-inn; Norman S. Coghill and Charles L. Collard, Inner Temple; William H. de Courcy, Middle Temple; Tekoo R. Ditta and Krishnarao B. Divatia, Gray's-inn; Hugh O. Dolbey, Middle Temple; George S. Elliston, Lincoln's-inn; Frederick P. Fausset and Edgar T. Fawssett, Inner Temple; Fazl-i-Husain, Gray's-inn; Thomas E. J. FitzGerald, Inner Temple; William H. P. Fox, Middle Temple; Fielding Gill, Gray's-inn; Herbert F. Hargreaves, Kenneth H. Hathorn, Henry C. W. Hawley, Daniel G. Hemmant, and Edward K. Henderson, Inner Temple; Gerald B. Hertz, Lincoln's-inn; Campbell B. Hulton, Inner Temple; Salahuddin K. B. Khan, Gray's-inn; Syed A. M. Khan, Inner Temple; Guy M. Kindersley, Lincoln's-inn; John P. Lockwood and William R. Mills, Inner Temple; Morgan Morgan, Middle Temple; Arthur de W. Mulligan, Gray's-inn; Balfour H Neill and Robert H. Norton, Inner Temple; Eugene O'Sullivan and Michael O'Sullivan, Gray's-inn; William W. Otter-Barry, Inner Temple; Arthur M. Paddon and Cecil R. Phillips, Middle Temple; Archibald H. Pocock, Lincoln's-inn; Harold O. B. Roberts and Aubrey C. Robinson, Inner Temple; Charles Ross, Lincoln's-inn; Subodh C. Roy, Gray's-inn; Sukumar C. Roy, Lincoln's-inn; Thomas E. Rushton and Robert Simpson, Middle Temple; Arthur H. D. Steel and Cecil R. Stephens, Inner Temple; William A. Stephens and Frederick S. Tollit, Middle Temple; Cecil O. Weatherly and Robert H. Whitworth, Inner Temple; Roland P. Williams, Gray's-inn; Robert W. Wylie, Lincoln's-inn; Allan Young, Inner Temple.

One hundred and eight were examined and eighty-two passed.

The Barstow Law Scholarship was awarded to Edward R. Harrison, Middle Temple.

ROMAN LAW.

Class I.—Clarence G. Moran, Inner Temple; Jasper F. More, Lincoln's-inn; George A. Vickery, Middle Temple.

Class II.—William E. Jardine, Middle Temple; Thomas S. Jevons, Inner Temple; Robert A. Johnson, Gray's-inn; Prabhat K. Mukerji and John E. O'Connor, Middle Temple; Walter C. C. Pakes, Gray's-inn; Godfrey E Reiss, Inner Temple; Arthur C. Smith, Middle Temple.

Class III.—Charles H. Agar, Inner Temple; Murtaza Ali, Lincoln's-inn; Syed A. Ali, Abdul Aziz, Harold T. Baker, and Bertram A. Bevan-Petman, Inner Temple; Henry H. Blake, Lincoln's-inn; Philip H. Cockman, Middle Temple; Leslie C. Cox, Inner Temple; Harnam Das, Lincoln's-inn; Arthur W. Fenton, Middle Temple; Oscar J. Goedecher, Hamilton F. S Goold-Verschoyle, and William Gross, Inner Temple; Jotindra C. Gupta, Gray's-inn; Cecil S. Hartley, Lincoln's-inn; Graham P. Heywood, Inner Temple; Charles N. Hope-Wallace, Lincoln's-inn; Charles J. A. Hoskins, Harry J. Kemp, Allan S. H. Maclean, and Ernest Metzler, Middle Temple; Pandit G. P. Misra, and Sheikh D. Mohammad, Lincoln's-inn; Thomas A. J. Pile, and Govindan P. Pillai, Middle Temple; Hugh C. Plowden-Wardlaw, Lincoln's-inn; Wilfrid Price, Middle Temple; Edward W. Ridges, Lincoln's-inn; Edward B. Sherlock and Robert Simpson, Middle Temple; Autar Singh, Lincoln's-inn; George A. Terrill, Middle Temple; Hiralal Verma, and Thomas S. C. Webster, Lincoln's-inn; Augustus A. Williams, Middle Temple.

Sixty-seven were examined, and forty-seven passed. Eight candidates were ordered not to be admitted for examination again until the Hilary examination, 1902.

CONSTITUTIONAL LAW AND LEGAL HISTORY.

Class II.—Ali H. M. Anwer and James C. Backhouse, Gray's-inn; Vincent R. N. R. B. Browne, Middle Temple; Charles R. Buxton and Digby Cotes-Preedy, Inner Temple; Thomas H. Greenwood, Gray's-inn; Edwin Hyde, Middle Temple; Qamar S. Khan, Lincoln's-inn; Basil N. Lang and Roger Payne, Inner Temple; William N. Raeburn and Faiz H. B. Tyabji, Middle Temple.

Class III.—Hira L. Ahuja and Iltaf Ali, Lincoln's-inn; Alban F. L. Bacon, Inner Temple; Amin C. Bahree, Lincoln's-inn; Edward G. Boyle, Inner Temple; Frederick Brocklehurst, Lincoln's-inn; Robert F. Carnegie, Middle Temple; John W. Church, Inner Temple; Donald C. L. Cree, Lincoln's-inn; Francis A. O. Davies, Middle Temple; Oswald E. Dickinson, Gray's-inn; Cecil M. Firth and James R. C. H. Geddes, Inner Temple; Kehr S. Grewal, Lincoln's-inn; Jotindra C. Gupta, Frank M. Horne, and Thomas H. Howson, Gray's-inn; Robert P. Hughes and William E. Hughes, Middle Temple; Edward A. Hume, Lincoln's-inn; Thomas M. Hunter, Inner Temple; Robert A. Johnson, Gray's-inn; Charles M. Knowles and Stuart G. Knox, Middle Temple; Harold C. Lafone, Lincoln's-inn; Alfred C. Lawrence, Middle Temple; Henry L. Lubeck, Lincoln's-inn; Gerald A. Moncrieff and Richard W. Moore, Inner Temple; Khan M. Nusrullah, Lincoln's-inn; Clement H. Pierson, Inner Temple; Govindan P. Pillai, Middle Temple; Atma Ram, Gray's-inn; Henry G. Robertson, Inner Temple; Charles W. Rorich, Middle Temple; Walter H. N. Secker, Inner Temple; Nirmal C. Sen, Gray's-inn; Edward B. Sherlock, Middle Temple; Kanwar H. Singh and Khazan Singh, Lincoln's-inn; Herbert L. Tebbs, Gray's-inn; Harry C. Wallace, Middle Temple; Ernest A. S. Watt, Inner Temple; Augustus A. Williams, Middle Temple; John A. Williams, Inner Temple; Gordon B. Winch, Middle Temple.

Seventy-three were examined and fifty-eight passed. One candidate was ordered not to be admitted for examination again until the Hilary examination, 1902.

EVIDENCE, PROCEDURE, AND CRIMINAL LAW.

Class I.—Henry C. Dickens, Inner Temple; Robert H. Headley, Middle Temple.

Class II.—Ahsan-ul-Haq, Lincoln's-inn; James C. Backhouse, Gray's-inn; Alfred E. Barnes, Lincoln's-inn; Frederick H. Bowcher, Inner Temple; Arthur J. M. Brice, Middle Temple; Reginald C. Carter and Harold T. Cawley, Inner Temple; John J. Fenelon, Middle Temple; Dennis G. Gilmore and Hugh J. Godley, Lincoln's-inn; Thomas H. Greenwood, Gray's-inn; Syud S. Hasan, Middle Temple; Nai Chote, Inner Temple; Ernest G. Palmer, Lincoln's-inn; Herbert W. Prichard, Gray's-inn; Gerald N. Richardson, Inner Temple; Hugh D. Roberts and Charles E. W. Stringer, Middle Temple; Alfred R. Taylor, Lincoln's-inn; Courtney Terrell, Gray's-inn.

Class III.—John C. Adams, Syed A. Ali, Norman C. Armitage, and Alban F. L. Bacon, Inner Temple; Bhupendra N. Basu, Gray's-inn; Raphael E. Belilios, Middle Temple; Vere F. Bertie, Inner Temple; John S. C. Bridge, Lincoln's-inn; Peter J. Cooke, Middle Temple; George L. Cox and William D. Crewdson, Inner Temple; Henry N. Devenish, James Dunbar, Mohammed F. Elahi, and Christopher J. W. Farwell, Lincoln's-inn; Thomas De La G. Grissell, Inner Temple; William Houlding, Middle Temple; Henry F. Leotand, Inner Temple; William G. Lewis, Gray's-inn; John F. Marshall, Inner Temple; Maung Tsain, Middle Temple; Devendra K Mullick and Rabindra K. Naug, Gray's-inn; Clement H Pierson and David T. H. Powell, Inner Temple; Jwala Prasad and Sant Ram, Lincoln's-inn; Sydney S. Sawry-Cookson, Inner Temple; John Shives, Middle Temple; Charles F. W. Struben and Kenneth R. Swan, Inner Temple; Hiralal Verma, Lincoln's-inn; Ernest De Van Wetton and Gordon B. Winch, Middle Temple.

Sixty-nine were examined and fifty-six passed. One candidate was ordered not to be admitted for examination again until the Hilary examination, 1902.

THE DINNER TO M. LABORI.

M. Labori was, on Wednesday, the guest at the annual dinner of the Hardwicke Society. Mr. J. B. Matthews, the president of the society, was in the chair, and among those present were the Lord Chancellor, many of the judges, and members of the bar, and, among other solicitors, Mr. Ellett, the president of the Incorporated Law Society. The balconies were occupied by ladies, among whom was Madame Labori.

Mr. Justice Hodges, the representative of Australia at the Imperial Conference, proposed "The Houses of Parliament."

The Earl of Hardwicke replied for the House of Lords.

The Solicitor-General, in replying to the toast of the House of Commons, said that one peculiarity of that House was that it did not like lawyers. That was all the more peculiar because lawyers seemed to like the House of Commons. The curious fact was that the country seemed to like lawyers, seeing that there were something like 200 lawyers in that assembly.

Mr. J. F. W. Galbraith, vice-president of the society, having proposed "The Bench,"

The Lord Chancellor said it gave him infinite pleasure to see such an assembly, which had been brought together, not only to do honour to that society, of which he was one of the original members, but also to afford them the pleasure of meeting one of those distinguished advocates who made the profession of advocacy an honourable institution among mankind. With the circumstances which had, no doubt, made his friend near him distinguished, not only in his own country, but throughout Europe, they had no particular concern. It might be that each nation had its own processes and forms of administering justice. They had nothing to do with the modes of administering justice adopted by other nations; but they could, and did, recognize that the same qualities in all countries and at all times of courage, independence, and honour would always be held in honour by mankind. Speaking as a judge and returning thanks for the bench, it was, perhaps, only a paradox to say that the function of the judge was not to speak, but to listen Whether that function was universally observed was one of those questions which he declined to discuss. All he would say was that, if judges only would appreciate what an invaluable assistance it was to their own minds to listen to those who had prepared their arguments and were perfectly familiar with the facts, they would recognize that initial listening, at all events, was greatly to their advantage. The greatest orator of antiquity, whose name had been handed down as the type and specimen of what an orator ought to be, began a speech by saying that that which the oath of the judge and the constitution prescribed was that he should equally hear both parties, and he proceeded to point out that it did not refer only to the fact of having no previous conception of what the facts were and no prejudice against either of the parties, but that each party should be permitted to argue what he was there to argue.

Sir Francis Jeune, in proposing "The Bar," said that the presence of their distinguished visitor reminded them how small was the connection in France between the judges and the advocates. In England it was very difficult to conceive a state of things in which the two professions should be altogether separated He recognized to the full the great advantages connected with the administration of the law in France and the advantage of that great code which France owed to the genius of her great Emperor; but the distinction which existed there between the judicial body and the body of advocates was one which he was prepared to admire rather than to imitate.

The Attorney-General, in replying, said he never felt so proud of being able to respond to such a toast as on that occasion. In 1884 Mr. Berryer was entertained by the English bar, and it was then said that it was not a matter of honour only to the individual, but that the occasion was one of happy augury for the future as presaging cordial relations between the bars of England and France. The English bar was proud to recognize that in the bar of France there were to be found all those great qualities which had led the profession to distinction in every civilized country. He did not speak of eloquence and learning, but of the fearless discharge of duty, the intrepid courage of the advocate, regardless alike of the frown of power or the passing gusts of public opinion. It was because they had found those qualities carried to their highest point in the bar of France that the members of the English bar were proud to claim them as brethren.

The President, in proposing the toast of the evening, "The Health of M. Labori," said that it was not only because of his high qualities as an advocate that they welcomed M. Labori there, it was because they regarded him as the representative of the bar of a friendly nation, and they regretted that the occasion so rarely arose when they could extend to the members of that bar that brotherly greeting which they extended to them that night in the person of M. Labori.

The toast was drunk with great enthusiasm, the whole audience rising and cheering for several minutes.

M. Labori, in replying, said he thought he did not misunderstand the true meaning of the demonstration. He was certainly deeply touched by all that had been said, that was so exceedingly flattering, about himself; but he could not ignore the fact that the greatest part of it was due to their kindness and valuable sympathy. He could not flatter himself with the idea that they intended to pay an honour to the French Bar taken as a whole. He was not qualified to be there as the representative of the French order of barristers, nor had he any right to speak in their name. What the reception which had been accorded to him meant, if he was not mistaken, was to render special homage to the right of legal defence, so essential, and consequently so universal that men of different countries, however jealous they might be of their own national feelings, could join together and become one in proclaiming it inviolable. In admitting a foreign barrister they not only marked in a manifest way their belief that the right of defence was a natural right; they shewed at the same time that it was the common aim of all barristers to protect this right, which from the most ancient times had been committed as a sacred deposit to the bars of all civilized nations. The bar, in fact, was indispensable to secure to the advocate the liberty and the power to accomplish his professional duties. It had been rightly said that without independence there was no bar. It was no less true to add that without a bar there was no independence for the nation; and where would this be better understood or more highly proclaimed than in such an assembly of men as were there that evening, in a country where liberty from olden times had been at the base of every political institution, where judicial power stood so high that in all parts of the world it was looked up to as a model of authority, independence, and justice, where the bar enjoyed so much credit and consideration that it was deemed worthy of producing the most eminent members of the bench.

Subsequently M. Labori said that the president had taken the initiative in asking him to speak in French, and he delivered an impassioned address in French, in the course of which he said that they were unanimous in their admiration for the ideal bar, they respected it, they loved it profoundly, as from a national point of view they loved the Fatherland, as the source of all greatness, goodness, and independence He had learnt through difficult hours that the bar was an admirable institution. It was superior to the shortcomings of men, it was a power which was at once beautiful, admirable, and marvellous. Let him relate to them a little incident which had happened to himself. There was a time when the advocate must forget himself in the midst of the fury of the tempest, in the midst of the passion and hatred of the crowd. At such a time, when he was most in need of it he himself had seen the head of the order, the *batonnier*, the advocate of his adversaries, rise in the court and claim a hearing for his brother advocate. Such men were the friends produced by the bar. An institution which created such friends, was it not worthy of admiration? Let them drink to the toast of the bar, not to the toast of the English bar, not to that of the French bar, but to that of the ideal bar, which meant the ideal of independence and justice, to which both the bar of England and the bar of France were devoted.

Mr. A. Graham Murray, K.C., M.P., proposed "The Hardwicke Society."

Sir E. Clarke, K.C., ex-president, responded.

Mr. J. Lawson Walton, K.C., M.P., ex-president, proposed "Our Guests," which was responded to by Lord Morris.

LEGAL NEWS.

OBITUARY.

Mr. John Winterbotham Batten, K.C., died on Monday evening, on the railway platform at Goring, while waiting for the train to return to London. Mr. Batten was educated at Mill-hill School, and was articled to Mr. Lindsay Winterbotham, of Stroud. Subsequently, however, he determined to migrate to the other branch of the profession, and was called to the bar in 1872. He mainly practised at the Parliamentary Bar, and before the Railway Commission.

APPOINTMENTS.

Mr. Edward Stanley Mould Perowne, solicitor, of the firm of Messrs. Adler & Perowne, of 48, Copthall-avenue, London, E.C., has been appointed a Commissioner for Oaths. Mr. Perowne was admitted in 1886.

CHANGES IN PARTNERSHIP.

Dissolutions.

William Banks and Rokeby Douglas Maddock, solicitors (Banks & Maddock), Heywood. Sept. 1, 1900. The business will in future be carried on at Heywood aforesaid by Rokeby Douglas Maddock and James Macfie alone, under the style and firm of Banks, Maddock, & Macfie. [*Gazette*, May 31.

Francis William Hilbery and Henry Hilbery, solicitors (F. W. & H. Hilbery), 20, Great St. Helens, London; (Hilberys) 4, South-square, Gray's-inn, London. Nov. 24, 1900. [*Gazette*, June 4.

GENERAL.

Lord Justice Rigby resumed his seat in the Court of Appeal on Wednesday.

In the course of the trial of the Brooks will case at Edinburgh, it was stated that the testator, Sir William Curliffe Brooks, had made about 200 wills altogether.

At a meeting of the Senate of the University of Dublin on the 4th inst. it was decided to confer the honorary degree of LL.D. on Sir Edward H. Carson, K.C., M.P.

Mr. Willes Chitty, the newly-appointed King's Bench Master, commenced his duties at Chambers on Tuesday, when he received the congratulations of Lord Dunboyne and the other Masters of the Division.

Maître Labori has accepted the invitation of the treasurer (Mr. Justice Mathew) and the benchers of Lincoln's-inn to dine with them in their hall on the "Grand Day" of Trinity Term, on Tuesday, the 11th inst.

At the Carlisle City police-court last week, says the *Times*, William Osbert Edwards, solicitor, was remanded for a week on the charge of misappropriating £320 belonging to a client. It was stated that other charges would be preferred against Mr. Edwards.

A woman, says an evening journal, was about to have an oath administered to her in Aberdeen police-court, and the magistrate asked her: 'My good woman, do you know the nature of an oath?" "Weel," said the witness, "I think I should. My man's a shore labourer!"

There are again rumours of the resignation of Mr. Commissioner Kerr, who, it is affirmed, has effected a compromise with the Corporation in the matter of his pension, and has agreed to accept £3,000 instead of the £3,500 a year which he claimed. He is eighty years of age, and has held his present appointment since 1859.

Trinity sittings were opened on Saturday at the Four Courts, Dublin says the Irish correspondent of the *Times*. At a meeting of the benchers Mr. T. Henry Maxwell, of the North-east Bar, was elected Professor of Equity Pleading and Practice at the King's Inns for the next three years in the room of Mr. Molyneux Barton, the retiring professor.

An explanation of the remarkably good English which M. Labori spoke at the Hardwicke dinner is, says the *Westminster Gazette*, to be found in the fact that at the age of twenty M. Labori spent a year in England as a student. But the good English can, of course, be partly traced to his marriage with an Australian, Madame Labori, whom he met when studying in England.

Black silk gowns are, says the *Albany Law Journal*, to be worn by the justices of the Appellate Division of the New York Supreme Court of the Second Judicial Department beginning on the 4th of March. This innovation was suggested some time ago, but Justice Edgar M. Cullen, now of the Court of Appeals, opposed the scheme effectively. Presiding Justice Goodrich states that after the 4th of March all the justices of the appellate courts in the State will wear gowns.

The Lord Chief Justice, says the *Times*, presided at a meeting of the members of the Taxation Committee, who are engaged in a rearrangement of the system of taxation of costs at present prevailing in the Supreme Court, which was held on Wednesday afternoon in his private room at the Law Courts, when there were present Sir Francis Jeune, Mr. Justice Mathew, Mr. Justice Kekewich, several of the masters, representing the various departments of the Supreme Court, and Mr. Kenneth Muir Mackenzie, K.C.

The Court of Session judges at Edinburgh were, says the *St. James's Gazette*, hearing a case the other day. Counsel, referring to a marriage, said that his client was "jockeyed" into a promise. Lord Young: Chivied into it? Lord Trayner: I do not know what "jockeying" a man into a marriage means. The case must be argued in plain English. Counsel: I mean pushed into it. "Jockeyed" is becoming a very common expression. Lord Trayner said there were too many phrases used at the bar which were slangy. He did not like them, and did not understand them.

Mr. F. F. Smith, the Registrar of the Rochester County Court, has published (price 1s.) a very useful alphabetical analysis of the schedules of county court fees authorized by the order of the 22nd of February, 1901. That order is not framed alphabetically, and it is difficult to ascertain from it the fees to be paid. In Mr. Smith's analysis the numbers of the fees in the several schedules are given, while the fees are arranged alphabetically in large type. The analysis is likely to be found very useful both in registrars' offices and to solicitors practising in county courts. No publisher's name is mentioned on the pamphlet.

Writing on Mr. Evarts, the late American lawyer and statesman, the *Albany Law Journal* recalls some instances of his wit. At a dinner tendered by Bishop Potter to T. B. Potter, a member of the British Parliament, several other distinguished men answering to the name of Potter were present. This fact prompted Mr. Evarts to tell the company of a dazed clergyman who put up the petition, "O Lord, let us never forget that Thou art the clay and we are the Potters." Mr. Choate is fond of telling of how Mr. Evarts replied to an impossible toast at a Harvard dinner which he (Choate) presided over. Instead of asking the men who were down for speeches to respond to the regulation toasts, Mr. Choate read off a question to each from one of the college examination papers, and then called up his victim. The query which fell to Mr. Evarts was this: "Why is it that the stomach, which continually digests food, is never itself digested?" Evarts in response said: "I have attended a good many Harvard dinners before this, and long ago, as a result of my experience with them, before setting out from New York to attend one of these feasts, I always divest myself of the coats of my stomach and hang them up in my wardrobe."

It is stated that the Imperial Conference, which has been summoned by Mr. Chamberlain to meet at the Colonial Office to consider the question of the appointment of an Imperial Court of Appeal, will not assemble before the end of June. Mr. W. B. Morgan, K.C., who is to represent Natal, was expected to reach England in *The Norman* this week. Among other delegates are Mr. J. Rose-Innes, who will represent Cape Colony, Sir J. Prendergarst (New Zealand), the Hon. David Mills (Canada), and Mr. Justice Hodges (the Commonwealth of Australia). Mr. Chamberlain will preside over the proceedings of the conference, which will be quite private.

At the Westminster police-court on Friday in last week, Charles Noble, late chief cashier and accountant to Messrs. Currey, Holland, & Currey, solicitors, of Great George-street, Westminster, was brought up in custody on remand charged with forgery, falsification of accounts, and theft. The defendant was for thirty years in the employ of the prosecutors, and recently absconded after being interrogated on the discovery of irregularities in the books. Mr. Dutton, for the prosecution, made a statement as to the defendant's book-keeping methods, and said that in the most clever way he had made alterations and erasures in the books and bank paying-in slips. Investigation was still going on, but in consequence of the very clever way in which these frauds had been committed it was difficult to complete the inquiry. Noble was remanded in custody.

On Tuesday, upon an application to postpone the hearing of a case until Monday, in consequence of the witnesses having to be brought from Plymouth, Mr. Justice Grantham, says the *Daily Telegraph*, expressed his surprise that litigants should bring their causes to London to be heard. These cases, he said, might well be tried in the localities from which they came, where they had good barristers upon their own circuits thoroughly competent to do the work. Instead of having the cases heard in the country, they were brought up to London, thereby enormously increasing the costs. Turning to the jury, his lordship said: I daresay you have often seen in the papers complaints about the delay in the work in the London courts, and that is due to the fact that people will try country cases here. If tried within their own circuits they would be heard in less time and at half the cost. For some reason or other, the parties will bring them up to London, so that London juries are detained and London litigation delayed. When you read these stories in the newspapers you will be able to realize that it is not our fault, but the fault of the people who bring these country cases to occupy our time here.

The Court of Appeals of Maryland has, says the *Central Law Journal*, recently decided a question in the case of *Gambrill* v. *Schooley*, which they declare has not been considered previously in any reported American case. It was held that the dictation of defamatory matter to a confidential stenographer constitutes a publication upon which to found an action, the court saying "we have no doubt that the dictation of these letters to the stenographer was the publication of a slander, for which, if nothing further had been done by either, an action of slander could have been maintained, but we have no doubt that the stenographic notes, the typewritten copy, and the letterpress copy constituted the publication of a libel, and that either slander or libel could be maintained, as the appellee should elect." The principal argument against such position, briefly, was that, in view of the almost universal employment in this country of stenographers, and the necessity for such employment through the custom of business, a communication to a stenographer should be made an exception to the general rule. In answer to this contention the court said: "Neither the prevalence of any business customs or methods, nor the pressure of business which compels resort to stenographic assistance, can make that legal which is illegal, nor make that innocent which would otherwise be actionable.

COURT PAPERS.

SUPREME COURT OF JUDICATURE

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Emergency Rota.	Appeal Court No. 2.	Mr. Justice Kekewich.	Mr. Justice Byrne.
Monday, June 10	Mr. Farmer	Mr. Church	Mr. Jackson	Mr. W. Leach
Tuesday 11	Godfrey	King	Pemberton	Greswell
Wednesday 12	Beal	Church	Jackson	W. Leach
Thursday 13	Church	King	Pemberton	Greswell
Friday 14	King	Church	Jackson	W. Leach
Saturday 15	R Leach	King	Pemberton	Greswell

Date.	Mr. Justice Cozens-Hardy.	Mr. Justice Farwell.	Mr. Justice Buckley.	Mr. Justice Joyce.
Monday, June 10	Mr. R. Leach	Mr. Godfrey	Mr. Carrington	Mr. Greswell
Tuesday 11	Beal	Farmer	Pugh	W. Leach
Wednesday 12	R Leach	Godfrey	Carrington	Pemberton
Thursday 13	Beal	Farmer	Pugh	Jackson
Friday 14	R Leach	Godfrey	Carrington	Pugh
Saturday 15	Beal	Farmer	Pugh	Carrington

TRINITY SITTINGS, 1901.

COURT OF APPEAL.

APPEAL COURT I.

Final and interlocutory appeals from the King's Bench Division, the New Trial Paper, and In re The Workmen's Compensation Act.

Tues., June 4 { App motns ex pte—orgl mots, and apps from ords made on interlocutory mots

N.B.—The Appeals or other Business proposed to be taken in Appeal Court I. will, from time to time, be announced in the Daily Cause List.

APPEAL COURT II.

The General List and Appeal Motions from the Chancery, and Probate, Divorce, and Admiralty Divisions, and the County Palatine and Stannaries Courts, and Appeals in Bankruptcy and Lunacy.

Tues., June 4 { App motns ex pte—orgl mots—apps from ords made on appeal mots (sep list), and Chan gen list if required

Wednesday 5 } Chan gen list
Thursday ... 6 }
Friday ..... 7...Bkcy and Chan gen list
Saturday ... 8 }
Monday.....10 } Chan gen list
Tuesday .....11 }
Wednesday 12 } App motns ex pte—orgl mots—apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...13 } County Palatine apps (if reached) and Chan gen list
Friday .....14...Bkcy and Chan gen list
Saturday ...15 }
Monday .....17 } Chan gen list
Tuesday.....18 }
Wednesday 19 } App motns ex pte—orgl mots—apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...20...Chan gen list
Friday .....21...Bkcy and Chan gen list
Saturday ...22 }
Monday.....24 } Chan gen list
Tuesday ...25 }
Wednesday 26 } App motns ex pte—orgl mots — apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...27 . Chan gen list
Friday .. 28...Bkcy and Chan gen list
Saturday ...29 }
Mon., July 1 } Chan gen list
Tuesday ... 2 }
Wednesday 3 } App motns ex pte—orgl mots—apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ... 4 } County Palatine apps (if reached) and Chan gen list
Friday ..... 5...Bkcy and Chan gen list
Saturday ... 6 }
Monday..... 8 } Chan gen list
Tuesday ..... 9 }
Wednesday 10 } App motns ex pte—orgl mots — apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...11...Chan gen list
Friday .....12...Bkcy and Chan gen list
Saturday ...13 }
Monday.....15 } Chan gen list
Tuesday.....16 }
Wednesday 17 } App motns ex pte—orgl mots — apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...18...Chan gen list
Friday .....19...Bkcy and Chan gen list
Saturday ...20 }
Monday.....22 } Chan gen list
Tuesday ...23 }
Wednesday 24 } App motns ex pte—orgl mots — apps from ords made on appeal mots (sep list), and Chan gen list if required
Thursday ...25...Chan gen list
Friday .....26...Bkcy and Chan gen list
Saturday ...27 }
Monday.....29 } Chan gen list
Tuesday ...30 }
Wednesday 31 } App motns ex pte—orgl mots — apps from ords made on app mots (sep list), and Chan gen list if required
Thurs., Aug. 1 } County Palatine apps (if reached) and Chan gen list
Friday ..... 2...Bkcy and Chan gen list
Saturday ... 3 }
Monday..... 5 } Chan gen list
Tuesday ... 6 }
Wednesday 7 } App motns ex pte—orgl mots — apps from ords made on app mots (sep list), and Chan gen list if required
Thursday ... 8...Chan gen list
Friday ..... 9...Bkcy and Chan gen list
Saturday ...10 }
Monday..... 12 } Chan gen list

N.B.—Lunacy Matters (when any) will be taken on Mondays at Eleven o'clock, and Probate and Divorce Final Appeals will be taken on days to be appointed by the Court.

HIGH COURT OF JUSTICE.
CHANCERY DIVISION.

Chancery Court I.
Mr. Justice KEKEWICH.

The following will be the Order of Business:—

Monday—Chamber Summonses.

Tuesday—Short Causes, Petitions, and Adjourned Summonses.

Wednesday and Thursday—Adjourned Summonses.

Friday—Motions and Adjourned Summonses.

N.B.—The first day of the Sittings, Tuesday, June 4, will also be a Motion Day.

Saturday—Adjourned Summonses.

Actions without Witnesses (not marked short) and Further Considerations will be heard on days from time to time announced in Daily Cause List.

Short Causes will be put into Tuesday's List on the necessary papers (including minutes) being left with the Judge's Clerk.

N.B.—If there are any Cases with Witnesses which it is convenient for Mr. Justice Kekewich to try, notwithstanding that he is ordinarily taking Non-Witness Business only, they will be announced in the Daily Cause List.

Chancery Court II.
Mr. Justice BYRNE.

Tues., June 4...Mots and non-wit list
Wednesday 5 } Non-wit list
Thursday ... 6 }
Friday ..... 7...Mots and non-wit list
Saturday ... 8 } Sht caus, pets, procedure sums, and non-wit list
Monday.....10...Sitting in chambers
Tuesday .. 11 }
Wednesday 12 } Non-wit list
Thursday ...13 }
Friday .....14...Mots and non-wit list
Saturday ...15 } Sht caus, pets, procedure sums, and non-wit list
Monday .....17...Sitting in chambers
Tuesday ...18 }
Wednesday 19 } Non-wit list
Thursday ...20 }
Friday ..... 21...Mots and non-wit list
Saturday ...22 } Sht caus, pets, procedure sums, and non-wit list
Monday ....24...Sitting in chambers
Tuesday ...25 }
Wednesday 26 } Non-wit list
Thursday ...27 }
Friday .....28 . Mots and non wit list
Saturday ...29 } Sht caus, pets, procedure sums, and non wit list
Mon., July 1...Sitting in chambers
Tuesday..... 2 }
Wednesday 3 } Non wit list
Thursday ... 4 }
Friday ..... 5...Mots and non wit list
Saturday ... 6 } Sht caus, pets, procedure sums, and non-wit list
Monday .... 8...Sitting in chambers
Tuesday ... 9 }
Wednesday 10 } Non wit list
Thursday ...11 }
Friday .....12...Mots and non wit list
Saturday ...13 } Sht caus, pets, procedure sums, and non wit list
Monday.....15...Sitting in chambers
Tuesday ...16 }
Wednesday 17 } Non wit list
Thursday ...18 }
Friday .....19 . Mots and non wit list
Saturday ...20 } Sht caus, pets, procedure sums, and non wit list
Monday... 22...Sitting in chambers
Tuesday ...23 }
Wednesday 24 } Non wit list
Thursday ...25 }
Friday .....25...Mots and non wit list
Saturday ...27 } Sht caus, pets, procedure sums, and non wit list
Monday..... 29...Sitting in chambers
Tuesday ...30 }
Wednesday 31 } Non wit list
Thurs., Aug. 1 }
Friday ..... 2...Mots and non wit list
Saturday ... 3 } Sht caus, pets, procedure sums, and non wit list
Monday ..... 5...Sitting in chambers
Tuesday ... 6 }
Wednesday 7 } Non wit list
Thursday ... 8 }
Friday ... ... 9...Mots and non wit list
Saturday ...10 } Sht caus, pets, procedure sums, and non wit list
Monday .....12...Sitting in chambers

The witness actions retained by Mr. Justice Byrne will be taken from time to time as the state of the Non-Witness List may permit; but motions and petitions will always be taken on Fridays and Saturdays respectively throughout the Sittings.

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers, including two copies of minutes of the proposed judgment or order, must be left in court with the judge's clerk one clear day before the cause is to be put in the Paper.

Chancery Court III.
Mr. Justice COZENS-HARDY.

Tues., June 4...Mots and gen pa
Wednesday 5 } General paper
Thursday ... 6 }
Friday ..... 7 . Mots and gen pa
Saturday ... 8 } Liverpool and Manchester business
Monday.....10 Sitting in chambers
Tuesday ...11 . Sht caus, pets, and gen pa
Wednesday 12 } General paper
Thursday ...13 }
Friday ... 14...Mots and gen pa
Saturday ...15 . Sht caus, pets, & gen pa
Monday.....17...Sitting in chambers
Tuesday ...18 }
Wednesday 19 } General paper
Thursday ...20 }
Friday ...21...Mots and gen pa
Saturday ...22 } Manchester and Liverpool business
Monday.....24...Sitting in chambers
Tuesday .. 25...Sht caus, pets, & gen pa
Wednesday 26 } General paper
Thursday ...27 }
Friday ... ...28...Mots and gen pa
Saturday ...29...Sht caus, pets, & gen pa
Mon., July 1...Sitting in chambers
Tuesday ... 2 }
Wednesday 3 } General paper
Thursday ... 4 }
Friday ... 5...Mots and gen pa
Saturday ... 6 } Liverpool and Manchester business
Monday .... 8..Sitting in chambers
Tuesday..... 9...Sht caus, pets, and gen pa
Wednesday 10 } General paper
Thursday ...11 }
Friday .....12...Mots and gen pa
Saturday ...13 . Sht caus, pets, & gen pa
Monday.....15...Sitting in chambers
Tuesday ...16...Sht caus, pets, and gen pa
Wednesday 17 } General paper
Thursday ...18 }
Friday ..... 19...Mots and gen pa
Saturday ...20 } Manchester and Liverpool business
Monday.....22...Sitting in chambers
Tuesday ...23 . Sht caus, pets, & gen pa
Wednesday 24 } General paper
Thursday ...25 }
Friday .....26 Mots and gen pa
Saturday ...27...Sht caus, pets, and gen pa
Monday.....29 . Sitting in chambers
Tuesday ...30 }
Wed. .....31 } General paper
Thurs.,Aug. 1 }
Friday ..... 2...Mots and gen pa
Saturday ... 3 } Liverpool and Manchester business
Monday..... 5...Sitting in chambers
Tuesday ... 6...Sht caus, pets, and gen pa
Wed. ..... 7 } Motions
Thursday ... 8 }
Friday ..... 9 } General paper
Saturday ...10 }
Monday.....12...Sitting in chambers

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard. Two copies of minutes of the proposed judgment or order must be left in court with the judge's clerk one clear day before the cause is to be put in the paper.

N.B.—The following Papers on Further Consideration are required for the use of the Judge, viz.:—Two Copies of Minutes of the proposed Judgment or Order, 1 Copy Pleadings, and 1 Copy Master's Certificate, which must be left in Court with the Judge's Clerk one clear day before the Further Consideration is ready to come into the paper.

Lord Chancellor's Court.
Mr. Justice FARWELL.

Except when other Business is advertised in the Daily Cause List, Mr. Justice Farwell will take Actions with Witnesses daily throughout the Sittings to the exclusion of other Business.

Chancery Court IV.
Mr. Justice BUCKLEY.

Except when other Business is advertised in the Daily Cause List, Mr. Justice Buckley will take Actions with Witnesses daily throughout the Sittings to the exclusion of other Business.

King's Bench Court I.
Mr. Justice JOYCE.

Except when other Business is advertised in the Daily Cause List, Mr. Justice Joyce will take Actions with Witnesses daily throughout the Sittings to the exclusion of other Business.

COURT OF APPEAL.
TRINITY SITTINGS, 1901.

Appeal Court I.—Notices.

King's Bench Interlocutory Appeals will be taken on Tuesday, June 4, and probably on every Monday in the Sittings.

N.B.—The Appeals or other Business proposed to be taken in this Court will, from time to time be announced in the Daily Cause List.

Appeal Court II.—Notices.

Appeal Motions from the Chancery and Probate and Divorce Division will be taken on Tuesday, June 4, Wednesday, June 12, and every Wednesday during the Sittings.

Bankruptcy Appeals will be taken on Friday, June 7, and following Fridays.

Appeals from the Lancaster and Durham Palatine Courts (if reached) will be taken on Thursday, June 13, Thursday, July 4, and Thursday, August 1.

Subject to the above, Chancery Final Appeals will be taken every day until further notice.

N.B.—Probate and Divorce Final Appeals will be taken on a day to be appointed, notice of which will be given.

FROM THE CHANCERY DIVISION.
Judgment Reserved.
(General List.)

Tubes ld v Perfecta Seamless Steel Tube Co ld appl of defts from order or Mr Justice Buckley, dated May 29, 1900 (c a v March 12)

Attorney-General v Simpson appl of deft L T Simpson from order of Mr Justice Farwell, dated Nov 21, 1899 (c a v April 2)

FROM THE CHANCERY DIVISION, THE PROBATE, DIVORCE AND ADMIRALTY DIVISION (PROBATE AND DIVORCE), AND THE COUNTY PALATINE AND STANNARIES COURTS.

(General List.)

1899.

In re Tiemann's Patent, AD, 1893, No 8736, &c and Patents, Designs, &c Acts appl of petnrs Franz. Fritzche & Co from order of Mr Justice Cozens-Hardy, dated Aug 3, 1899 (security ordered March 14, 1900) Aug 30

Foster v British Drying Co ld appl of defts from order of Mr Justice Kekewich, dated Nov 10, 1899 (order to wind up deft co, dated April 4, 1900) Nov 21

1900.

Tebb v Cave appl of deft from order of Mr Justice Buckley, dated Feb 15, 1900 (security ordered) April 5

Campbell Davys v Lloyd appl of pltff from order of Mr Justice Bucknill for Mr Justice Stirling, dated April 4, 1900 April 19

In re Robinson Pattison v Wilkinson appl of pltff from order of Mr Justice Stirling, dated March 3, 1900 May 21
In re The New Zealand Midland Railway Co ld Smith (on behalf, &c) v Lubbock appl of The Industrial and General Trust ld from order of Mr Justice Kekewich, dated April 6, 1900 May 24
Whitstable Oyster Fishery Co v Hayling Fisheries ld appl of pltffs from order of Mr Justice Buckley, dated May 9, 1900 June 18
In re Perry Volckman v Bartlett appl of deft H H Bartlett from order of Mr Justice Stirling, dated April 10, 1900 June 19
Merchants' Fire Office ld v Armstrong appl of defts W H G Newell and ors from order of Mr. Justice Kekewich, dated Jan 1, 1900 June 8 Merchants' Fire Office v Armstrong appl of deft D Davidson from order of Mr Justice Kekewich, dated Jan 23, 1900 June 20 The Merchants' Fire Office ld v Armstrong appl of J Robertson from order of Mr Justice Kekewich, dated Jan 23, 1900 Aug 10
Hand v Blow appl of C Hodgkinson from order of Mr Justice Stirling, dated June 14, 1900 June 28
Marshalls ld v Chameleon Patents Manufacturing Co ld appl of pltffs from order of Mr Justice Kekewich, dated June 12, 1900 July 2
Case v Cressy appl of pltff from order of Mr Justice Buckley, dated March 2, 1900 July 4
Burnyeat v Whitehaven Joint Stock Banking Co ld appl of defts from order of Mr Justice Farwell, dated June 14, 1900 July 4
Barclay & Co ld v Drucker appl of deft from judgt of Mr Justice Phillimore, dated June 16, 1900, without a jury, Middlesex (K B Division Final List) by order Drucker v Gibson appl of pltff from order of Mr Justice Buckley, dated Dec 20, 1900 Jan 4, 1901 Gibson v Drucker appl of deft from order of Mr Justice Buckley, dated Jan 4, 1901 Barclay v Drucker appl of deft from order of Mr Justice Lawrance, dated Jan 12, 1901 (K B Division Interlocutory List) by order
The Isle of Thanet Electric Tramway & Lighting Co ld v Abbot appl of plaintiffs from order of Mr. Justice Byrne, dated June 21, 1900 July 7
In re Hunt Pollard v Greake appl of deft J W Leppard from order of Mr Justice Stirling, dated May 29, 1900 July 7
Chamberlain & Hookham ld v The Mayor &c of Bradford appl of pltffs from order of Mr Justice Farwell, dated May 25, 1900, and motion to adduce further evidence (by order) July 9
In re A W Dunn Brinklow v Singleton appl of petnr Barr from order of Mr Justice Byrne, dated June 10, 1900 July 14
In re Hayes Turnbull v Hayes appl of deft C E Hayes from order of Mr Justice Byrne, dated June 19, 1900 July 18
In re Woolnough Fuller v Woolnough appl of pltff from order of Mr Justice Kekewich, dated June 23, 1900 July 20
Earl of Lonsdale v Countess of Berchtoldt appl of Sir J M Scott from order of Mr Justice Kekewich, dated July 18, 1900 July 25
In re Winstone Winterbotham v Winstone appl of deft G A Winstone from order of Mr Justice Stirling, dated July 16, 1900 July 26
In re Frith Newton v Rolfe appl of deft from order of Mr Justice Kekewich, dated March 1, 1900 (produce order) March 17 In re Frith Newton v Rolfe appl of defts W E Rolfe & anr from order of Mr Justice Kekewich, on further consideration, dated May 24, 1900 (to come on together) July 30
Goodwin v The Ivory Soap Co appl of pltff from order of Mr Justice Kekewich, dated July 25, 1900, and motion for further evidence by order, Nov 7, 1900 July 30
Bowden v Watts appl of pltff from order of Mr Justice Buckley, dated June 28, 1900 (produce order) Aug 1
W Marshall & Co ld v A H Bull ld appl of defts Petty & Sons ld from order of Mr Justice Byrne, dated July 7, 1900 Aug 2
Assets Development Co ld v Close Bros & Co appl of pltffs from order of Mr Justice Buckley, dated July 27, 1900 Aug 8
Hildersheimer v W & F Faulkner ld appl of defts Ward F Faulkner ld from order of Mr Justice Kekewich, dated July 7, 1900 Aug 8
In re Marquis of Aylesbury Wilmot v Gardiner appl of Messrs Skinner & Co from order of Mr Justice Cozens-Hardy, dated July 17, 1900 Aug 9
Curtis v Baines appl of J G Baines and S Baines from order of Official Referee, dated May 21, 1900 Aug 9
Warren v Brown appl of pltff from order of Mr Justice Wright, dated Aug 8, 1900 Aug 10
In re Malcolm Hay v School, &c, of Antiquity appl of pltff from order of Mr Justice Kekewich, dated July 26, 1900 Aug 10
In re Hey Perkins v Hey appl of deft E J Stocks from order of Mr Justice Byrne, dated July 19, 1900 Aug 10
Inderwick v Tatchell Tatchell v Lindner Inderwick v Inderwick appl of pltff in first action from order of Mr Justice Kekewich, dated July 27, 1900 Aug 14
In re Knapp Tarver v Tarver appl of pltff from order of Mr Justice Buckley, dated June 13, 1900 Aug 14
In re Bowyer Woolmer v Jones appl of pltff from order of Mr Justice Kekewich, dated Aug 8, 1900 Aug 15
Pelham Clinton v Duke of Newcastle appl of pltff from order of Mr Justice Buckley, dated Aug 3, 1900 Aug 15
In re The Barrow Hæmatite Steel Co ld & reduced and In re the Companies Acts, 1867 & 1877 appl of Barrow Hæmatite, &c Co from order of Mr Justice Cozens-Hardy, dated Aug 11, 1900 Aug 15
Quartermaine v Kent, Sussex & General Land Soc appl of pltff from order of Mr Justice Cozens-Hardy, dated Aug 11, 1900 (produce order) Aug 16
Holly v Rumsey Green v Rumsey appl of pltff J C Holly & deft E S Holly from order of Mr Justice Kekewich, dated July 5, 1900 (s o for Judge's Certificate that he does not require any further argument) Aug 16

FROM THE KING'S BENCH DIVISION.

Judgment Reserved.

(Final List.)

The Driefontein Consolidated Mines ld v Janson appl of deft from judgt of Mr Justice Mathew, dated June 1, 1900, without a jury, Middlesex (c a v April 25)

FROM THE KING'S BENCH DIVISION.

For Hearing.

(Final List.)

1899.

Rowlands (applt) v Miller (respt) Crown side appl of respt from judgt of of Justices Lawrance & Channell, dated Feb 17, 1899 (security ordered) March 3

1900.

The West Rand Central Gold Mines Co ld v de Rougemont appl of deft from judgt of Mr Justice Mathew, dated June 1, 1900, without a jury, Middlesex (s o till after judgt given in "The Driefontein Consolidated Mines ld, &c.,"—by order) June 25
Short v Foss appl of defts from judgt of Mr Justice Lawrance, dated Oct 28, 1899, without a jury, Middlesex (security ordered) Jan 27
Brown v Lawrence & Co appl of defts from judgt of Mr Justice Channell, dated June 23, 1900, without a jury, Middlesex, part heard July 18
Fisher v Plumbly appl of pltff from judgt of Mr Justice Kennedy, dated March 12, 1900, without jury, Middlesex March 24
Kerin (widow) & ors v Weston appl of pltffs from judgt of Mr Justice Phillimore, dated March 16, 1900 (security ordered) June 16
Barclay & Co ld v Drucker appl of deft from judgt of Mr Justice Phillimore, dated June 16, 1900, without a jury, Middlesex (to be heard in Appeal Court No II) July 6
McGrath v Elder, Dempster & Co appl of pltff from judgt of The Judge of the Court of Passage (Liverpool), dated July 11, 1900 (security ordered) Aug 1
Synchromy Syndicate ld v Turata appl of deft from judgt of Mr Justice Darling, dated July 17, 1900, without jury, Middlesex (s o June 10) Aug 11
Gray v Howcroft & ors appl of pltff from judgt of Mr Justice Day, dated July 31, 1900, without jury, Middlesex Aug 15
Price & Pierce v The Marine Insce Co ld appl of pltffs from judgt of Mr Justice Bigham, dated July 2, 1900, without a jury, Middlesex Aug 15
Kessell & Co v H Lyon & Mayer appl of pltffs from judgt of Mr Justice Mathew, dated Aug 1, 1900, without a jury, Middlesex Aug 16
Attey & anr v Forsluid & Sons appl of defts from judgt of Mr Justice Kennedy, dated Aug 6, 1900, without jury, Middlesex Aug 20
Vivian v Port Talbot Ry & Docks Co appl of defts from judgt of Mr Justice Phillimore, dated July, 1900, without jury, Middlesex Aug 22
Marwood v Taylor appl of pltff from judgt of Mr. Justice Bigham, dated July 12, 1900, without jury, Middlesex Sept 12
Sanders v Minstrell appl of pltff from judgt of Mr Justice Wills, dated Aug 20, 1900, without jury, Warwick Sept 17
Tilbury v Hood appl of deft from judgt of Mr Justice Ridley, dated June 21, 1900, Middlesex Sept 24
Prescott, Dimsdale, Cave, Tugwell & Co ld v Wright appl of pltffs from judgt of Mr Justice Kennedy, dated Aug 2, 1900, without jury, Middlesex Oct 17
In the Matter of Robert Fairer Mason, a solr, and In re Solicitors Act, 1888 appl of solr from judgt of Justices Kennedy and Darling, dated Aug 3, 1900 Oct 23
Campion & Co v Valentine Extract Co ld & ors appl of pltffs from judgt of Mr Justice Darling, dated July 21, 1900, without jury, Middlesex Oct 25
The Steamship Balmoral Co ld v Marten appl of pltffs from judgt of Mr Justice Bigham, dated Aug 11, 1900, without jury, Middlesex Nov 2
Macdonald & anr v Faulkner appl of defts from judgt of Mr Justice Phillimore, dated Oct 25, 1900, without jury, Middlesex (stay of execution pending appeal) Nov 5
Lawther v Black appl of pltff from judgt of Mr Justice Mathew, dated Oct 30, 1900, without jury, Middlesex Nov 8
Baker, Freeman & Co v Tottenham appl of pltff from judgt of Mr Justice Darling, dated Nov 2, 1900, without jury, Middlesex Nov 9
Marsden & Sons v Capital & Counties Newspaper Co ld and Bottomley appl of deft Bottomley from judgt of Mr Justice Channell, dated Nov 1, 1900, common jury, Middlesex Nov 16
Ward v Fry appl of deft from judgt of Mr Justice Wright, dated Nov 12, 1900, without jury, Middlesex Nov 17
Marks v Pape appl of deft from judgt of Mr Justice Grantham, dated Nov 5, 1900, special jury, Middlesex Nov 17
Paul Boyer ld v Edwards appl of pltffs from judgt of Mr Justice Darling, dated Nov 5, 1900, without jury, Middlesex Nov 17
Jennings v Mather (Gray, clmt) (Crown Side) appl of clmt Gray on behalf of Mather, from Justices Lawrance and Kennedy, dated Nov 3, 1900 Nov 17
Cullum v Hodges appl of pltff from judgt of Mr Justice Darling, dated Nov 7, 1900, without jury, Middlesex Nov 19
Vaux & Son v Wimperis & Arber appl of defts from judgment of Mr Justice Grantham, dated Nov 3, 1900, without jury, Middlesex Nov 22
The Vestry of the Parish of St James & St John, Clerkenwell (appellants) v J Edmondson & Son, respondents (Crown Side) appl of appellants from the judgt of The Lord Chief Justice and Mr Justice Kennedy, dated Nov 16, 1900 Nov 26

(To be continued.)

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

Chancery Causes for Trial or Hearing.

(Set down to May 25, 1901.)

Before Mr. Justice KEKEWICH.

Actions with Witnesses, by Order.

Grace v Ashford act
Farnham v Milward act & sumns
Martin v Smith act
Kirchenstein v Bacon act
Gilbert v Tobutt act
Clowes v Parsons act
Downie v Whitaker act
Carter v Langworthy act

Causes for Trial (without Witnesses).

Villar v Brander act
Chaytor v Trotter act (without pleadings)
Widdowson v Jennings m f j (short)
Lang v Simmons & Co m f j (short)

Before Mr. Justice WRIGHT.

(Sitting as an additional Judge of the Chancery Division.)

Companies (Winding-up). Petitions.

Lucia Silver Mines ld (petn of Frank Jackson & Co)
Harvey & Williams ld (petn of Wills ld)
Property Gazetteer ld (petn of E Story)
Fred Knight & Co ld (petn of P Boxhi & anr)
Anglo-Foreign Investment Corpn ld (petn of Guarantee and General Trading Corpn ld)
W E Tucker & Co ld (petn of R A Briggs)
Anglo-American Exchange ld (petn of H Howick)
British Electric Works Co ld (petn of Samuel Walker ld)
Hodges & Todd ld (petn of T G Wood & Sons)
Pegamoid ld (petn of T G Hockley)

Before Mr. Justice BYRNE.

Retained by order.

Causes for Trial (with Witnesses).

Johnson v Bath act
Phillips v Howell act
In re Auldjo Auldjo v Royds Royds v Auldjo act and counter-claim
In re Chambers Bradbury v Chambers act
Bellamy v Parker act
Fletcher v Goodwin Goodwin v Fletcher act

Procedure Summons.

Horlick v Cavendish & ors

Causes for Trial (without Witnesses and Adjourned Summonses).

In re The London Parochial Charities (expte Central London Ry Co) adjd sumns pt hd
In re Schofield Schofield v Coulter adjd sumns pt hd (s o liberty to restore)
Warner v Prudential Assce Co ld act
In re Jupe Standerwick v Oakshott adjd sumns (s o liberty to restore)
McLaren v McLaren act for trial without witnesses (restored)
In re Roberts Roberts v Parry adjd sumns
In re Sage Sage v Sage adjd sumns
In re Newton, dec Portman v Newton adjd sumns
In re Wadmore Mello v Ficklin adjd sumns
In re Harvey Harvey v Harvey adjd sumns
In re Fish Prestige v Lea adjd sumns
In re Cooper Cooper v Johnson adjd sums
In re Coodes & Settled Estates adjd sums
In re John Jesse, dec Duncan v Jesse adjd sums
Walker v The Langton Hall Co ld special case (filed May 8, 1901)
Muse v Fairlie adjd sums
In re John Holroyd, dec Hustler v Holroyd adjd sums
In re Sowerby Graham v Sowerby adjd sumns

Before Mr. Justice COZENS-HARDY.

Retained by Order.

Causes for Trial (with Witnesses).

Ward v Wilson act (pleadings to be amended)
The National Society for the Distribution of Electricity by Secondary Generators ld v Gibbs act and counter-claim June 12, after No 3)
In re de Almeda Sourdis v Keyser issues for trial (June 11, after pt hd)
Black v Williams act
In re Deighton's Patent, No. 15,670 of 1896 petn entered in Witness List (apply to fix a day)
Glamorgan Woollen & Tailoring Co ld v Newman act pt hd
Panuco Copper Co ld v Keswick act (not before June 10)
The Charing Cross & Strand Electricity Supply Corporation ld v Johnson & Hooper ld act
Coop & Co ld v Graham act
Jackson v Ianson act
James v Wallasey Urban District Council act (June 18, subject to pt hd)
Jones v Flower act & counter claim
Boizot v Haycock & Son ld action without pleadings
Wilborn v Harrogate Central Arcade Co ld motn to be treated as trial of action
Livingstone v Richards
London & Westminster Bank v Affleck motn to go into Witness List

Before Mr. Justice FARWELL.

Retained by Order.

Adjourned Summonses.

Derbon v Collis (s o generally)
In re Jenning's Estate Lermitte v Plaskett (s o generally)
In re Sullivan & Metropolitan Ry Acts & Lands Clauses Act, 1845 pt hd
Hayden v Ward three adjd sumns by defendants, dated respectively March 5, May 14 & May 14, 1900
Same v Same adjd sumns by pltff, dated May 10, 1900
In re Margaret Vickers, an infant

In re the Matter of an Arbitration between the River Plate Construction Co ld, James Capel & Co and Charles Bright and In the Matter of the Arbitration Act, 1889 motn to set aside award—sumns to sell shares—discharge an order, March 25, 1901 River Plate Construction Co v London and Brazilian Bank Bright v London & Brazilian Bank (motn to remit award disposed of, other matter stand over)

Causes for Trial (with Witnesses).

Abery v Isard
Isard v Abery

The remaining Witness Actions are entered in the General List according to date of setting down.

Further Considerations.

In re Higdon Hooke v Higdon fur con & adjd sumns pt hd
In re Hunt Leppard v Morgan fur con & 4 adjd sumns pt hd (s o generally)
Moore v Moore

Causes for Trial (with Witnesses).

Alianza Co ld v Limbcke act & 3rd party notice (s o until return of Commission)
Down v Lederer act (pleadings to be delivered)
Main Colliery Co v Rural District Council of Neath act (pleadings to be delivered)
Westcott v Arnold act
Burgoyne v Biggleswade Rural District Council act (pleadings to be delivered)
In re The Co's Act, 1862 and In re The Anglo-American Exchange ld (Howick's case) motn entered in Witness List (day to be fixed)
Llewelyn v Lord Swansea act (not before July 8)
Naylor Leyland v Naylor Leyland act (not before June 10)
In re Broadhurst Gibson v Bayley Bayley v Gibson act & counter-claim
Batcheller v Tunbridge Wells Gas Co act (pleading to be delivered)
Fleming v Loe counter-claim (restored)
McGillivray v The Anglo-Klondike Mining Co ld act (pleadings to be delivered)
Spitzel v Chinese Corporation ld act

Before Mr. Justice BUCKLEY.

Adjourned Summons.

In re Gurney Gurney v Gurney pt hd (s o until after report)

Causes for Trial (with Witnesses).

White v Flude act
Sutcliffe v Askwith act
Sievier v Cooper act
Sturt v Kelf act
Ansonia Clock Co v Gorton act
In re Geen Geen v Geen act
In re Wyatt Wyatt v Wyatt act
Havens v Havens act and petn In re The Military Lands, &c, Act (expte Secretary of State for War) further hearing of petn to come on with act (by order)
In re Torrence Campbell v Whish adjd sumns entered in witness list (by order)
W H Chaplin & Co ld v Vestry of St. Martin's-in-the-Fields act without pleadings
Keevil v Blackstaffe act (pleadings to be delivered)
Ackerman v Smallpiece act deft dead (s o by order)
In re Brown Brown v Brown act and m f j (not to be heard before act in Probate Division disposed of)
Moon v Papillon act (pleadings to be delivered)
Bexhill Urban District Council v Hotel Metropole, Bexhill-on-Sea, ld act for trial (pleadings)
Williams v Ingram act (not to be in the paper for four weeks after hearing of appeal or filing affidavit, by order, Oct 29, 1900)
In re John Lake & Son, ld Bolitho & Co v John Lake & Son, ld question in act entered in witness list
Urquhart v Newton act
Green v Ellis act (s o for delivery of particulars)
Pilkington v Beck act (pleadings to be delivered)
Hicks v Hicks act (pleadings to be delivered)
Rapkin v Blaiberg act
International Bank of London ld v Rio de Janeiro Flour Mills, &c ld act (stayed until depositions filed)
Boussac v A W Gamage ld act
Adler v Joel act (s o till 10 days after return of commission)
Rigden v Hillsdon act & counter-claim
Hobbs v Leon act (without pleadings)
Lewis v Grimes act
T A Gibb & Co ld v Livingston, Halton & Co ld act & adjd sumns
Attorney-Gen v County Council of Berkshire act
Sach v Cottrell act (s o till after return of commission)
Isaacs v Todd act
Attorney-Gen v Bell act
L Allen & Co ld v Hough Sandys v L Allen & Co ld (acts consolidated)
The Welsbach Incandescent Light Co ld v Standard Incandescent Gas Light Co ld act
Great Western Railway Co v Talbot act
Sawyer v Continental Water and Electrical Power Syndicate ld (in liquidation) act
Koener v E Pinchin & Co act (without pleadings)

Before Mr. Justice JOYCE.

Retained by Order.

Adjourned Summonses, &c.

In re Shaw Morgan v Mayer pt hd (s o)
Neville v Benjamin (s o)
In re Sergardi Trotter v Beechey (s o)
Martin v Winby (s o)
Sutherland v Halifax Commercial Banking Co ld pt hd (s o)

Causes for Trial (with Witnesses).

Eyton v Fergusson act & m f j
Rennie v Dracup act (Michaelmas sittings)
Attorney-General v Birmingham, Tame, & Rea District Drainage Board act
Coveney v Mayor, &c, of Colchester act (not before July 16)
Harrison v Gracie act and counter-claim (pltff bankrupt)
Millbank v Millbank act (s o to come on with anr act when ready)
The Financial & General Syndicate ld v Gray act & m f j
In re Clark Clark v Foster adjd sumns entered in witness list
De Burgh v Houston act (security ordered)
British Motor Co ld v Ford act (not before July 16)
Fearn v Nesbitt act
In re Hill Shore v Hill act, counterclaim & question of liability of defts W Hill & anr & question of liability of defts J Hill & anr
Orkin v South African (Orkin's) Syndicate ld act
Singer Cycle Co ld v The James Cycle Co ld act (pleadings to be delivered)
Davies v Evans act
London & North-Western Ry Co v Mayor, &c., of Westminster act
In re Bird Wilkins v Bird act (s o until after representation granted)

(To be continued.)

HIGH COURT OF JUSTICE.—KING'S BENCH DIVISION.

Trinity Sittings, 1901.

Dates.	Lord Chief Justice.	Mathew, J.	Day, J.	Wills, J.	Grantham, J.	Lawrance, J.	Wright, J.	Bruce, J.	Kennedy, J.	Ridley, J.	Bigham, J.	Darling, J.	Channell, J.	Phillimore, J.	Bucknill, J.
1901. May 29	...	...	...	Western Circuit	...	S.E. Circuit	...	...	...	...	...	...	...	...	...
June 4	Nisi Prius	Com. List	Nisi Prius	"	Nisi Prius	"	Companies' Work and Bankruptcy	Div. Court	Nisi Prius	Div. Court	Div. Court	Nisi Prius	Nisi Prius	Div. Court	Chambers
" 13	"	"	Oxford Circuit	"	"	"	Midland Circuit	"	"	"	"	"	"	"	"
" 17	"	"	"	"	"	"	"	"	"	"	"	"	"	Chambers	Nisi Prius
" 21	"	"	"	"	"	"	"	"	W. Circuit	"	"	"	"	"	"
" 24	"	"	"	"	"	End	"	"	"	"	Com List	"	"	"	"
" 25	"	S.E. Circuit	"	"	"	"	"	"	"	"	"	"	"	"	"
" 26	"	"	"	"	(Cent. Crim. Ct. intervng)	Nisi Prius	"	"	"	"	"	"	"	"	"
" 29	"	"	"	"	"	"	"	"	"	N. Circuit	"	"	"	"	"
July 6	N.E. Circuit	"	"	"	North Wales Circuit	"	"	N.E. Circuit	"	"	"	"	"	"	"
" 8	"	"	"	"	"	"	"	"	"	"	"	"	"	"	N. Circuit
" 10	"	"	"	"	"	"	"	"	"	"	"	"	South Wales Circuit	"	"
" 15	"	"	"	End	"	"	"	"	End	"	"	"	"	"	"
" 17	"	"	"	Nisi Prius	"	"	End	"	Nisi Prius	"	"	"	"	"	"
" 19	"	"	"	"	"	"	Companies' Work and Bankruptcy	"	"	"	"	"	"	"	"
" 20	"	End	End	"	"	"	"	"	"	"	"	"	"	Midland Circuit	"
" 22	"	"	"	"	"	"	"	"	"	"	Oxford Circ.	"	"	"	"
" 23	"	Com. List	Chambers	"	"	"	"	"	"	"	"	"	"	"	"
" 24	"	"	"	Cen. Crm. Ct intervening	"	"	"	"	"	"	"	"	"	"	"
August 12	End	"	"	"	End	"	"	End	"	End	End	"	End	End	End

The Business of the Courts will be taken in accordance with the Judges' Resolutions of May 24, 1894. The Judges named to sit in Divisional Court will, whenever it becomes necessary, sit at Nisi Prius.

THE PROPERTY MART.

SALES OF THE ENSUING WEEK.

June 10.—Messrs. Farebrother, Ellis, Egerton, Breach, Galsworthy, & Co., at the Mart, at 2:—Strand: Opposite the Law Courts; extensive Building Site, covering an area of over 8,500 superficial feet, with important frontage to the Strand, comprising Nos. 231 and 232, Strand, and the whole of Thanet-place in the rear. Solicitors, Messrs. Surtees & Surtees, London. (See advertisements, this week, p. 23.)

June 10.—Messrs. H. E. Foster & Cranfield, at the Mart, at 2: Freehold Property near Fulham-road, fitted as a Laundry, with all latest machinery, occupying over one acre of land. Solicitors, Messrs. W. Fry & Son, Dublin; and G. J. Fowler, Esq., London. —Three Freehold Residences at Ewell; let at £50, £42, and £50 per annum Solicitors, Messrs. England & Co., Halifax.—A Terrace of 13 Freehold Houses at Stratford, producing £378 per annum. Solicitors, Messrs. Beilord & Coveney, London. (See advertisements, this week, p. 24.)

June 11.—Messrs. Debenham, Tewson, Farmer, & Bridgewater, at the Mart, at 2:—Godstone, Surrey: The Family Residence known as Oakhurst; let on lease at £150 per annum. Solicitors, Messrs. Ashurst, Morris, Crisp, & Co., and Messrs Kennedy, Hughes, & Ponsonby, both of London.—Purley, Surrey: The Foxley Estate, a Freehold Residential Property, of about 138 acres, with lands available for building, within a few minutes' walk of Purley Station. Solicitors, Messrs. Philbrick & Co., and Messrs. Bower, Cotton, & Bower, both of London.—City of London (on the borders of, between Farringdon-street Station on the Metropolitan Railway and the Central Meat and Poultry Markets): Important Freehold Property, having a frontage of about 172ft. to Cowcross-street, occupying about 17,750 square feet. Solicitors, Messrs. Adams & Adams, and H. Garrard Clarke, Esq., both of London.—Chislehurst: Nine Freehold and Leasehold Residences; the total rent-roll being about £835 per annum. Solicitors, Messrs. Ashurst, Morris, Crisp, & Co., and Messrs. Kennedy, Hughes, & Ponsonby, both of London. (See advertisements, this week, p. 2.)

June 11.—Messrs. Douglas Young & Co., in a Marquee on the Estate, at 3:—Tooting: The remaining portion of the Devonshire-road Estate; 74 Plots of Freehold Building Land. Solicitor, C. E. Harrison, Esq, London. (See advertisement, this week, p. 5.)

June 11.—Messrs. Driver, Jonas, & Co., at the Mart, at 2:—Kensington: Moray Lodge, Campden Hill, on the Phillimore Estate, a charming Residential Property, close to the historic Holland House and Park, with well laid-out grounds of about 4½ acres; held on lease at £375 a year. Solicitors, Messrs. Nicholson, Patterson, & Freeland, London. (See advertisement, this week, p. 9.)

June 12.—Messrs. Douglas Young & Co., at the Mart, at 2:—Stockwell: A Weekly House; let at 16s. 6d. per week. Solicitors, Messrs. E. & H. Scott, London.—Clapham: A commodious Residence; rental value £60; stabling let at £32 per annum. Solicitors, Messrs. Russell & Russell, London.—Romford: Five Leasehold Weekly Cottages; £83 per annum. Solicitor, Arthur Porter, Esq., Romford.—South Belgravia: Family Residence; rental £75. Solicitor, Herbert B. Bell, Esq., London. (See advertisement, this week, p. 5.)

June 12.—Messrs. Edwin Fox & Bousfield, at the Mart, at 2:—Freehold Investments, suitable for Trustees, comprising seven houses and shops and a fully-licensed public-house, situate on the south side of High Holborn and in New Turnstile and Gate-street. Solicitors, Messrs. Payne, Shaw-Mackenzie, & Lake, London.—The unique Freehold Property on the Surrey Hills known as Rockshaw; 1½ miles from Merstham Station, about 3½ miles from Redhill, and 4½ miles from Reigate. Solicitor, John W. Sykes, Esq., London.—Grand Junction Waterworks Co., £30 000 New Capital, in 600 £50 New 7 per cent. Shares.—Solicitors, Messrs. Bircham & Co., London. (See advertisements, this week, p. 6.)

June 13.—Messrs. Debenham, Tewson, Farmer, & Bridgewater, at the Mart, at 1:—Highgate: A detached Residence, standing in grounds of about an acre, about seven minutes' walk from Highgate Station (G.N.Ry.); with possession. Solicitors, Messrs. Tarry, Sherlock, & King, London.—Crouch Hill: A modern detached Family Residence, near to Crouch Hill Station. Solicitor, A. F. Douglas, Esq., London. (See advertisements, this week, p. 2.)

June 13.—Messrs. Douglas Young & Co., in a Marquee on the Estate:—Clapham Park: 73 Freehold Building Sites; each has a frontage of 30ft. Solicitors, Messrs. Phelps, Sedgwick, & Biddle, London. (See advertisements, this week, p. 5)

June 13.—Messrs. Farebrother, Ellis, Egerton, Breach, Galsworthy, & Co., at the Mart, at 2:—Sawbridgeworth: Freehold Property known as Roselands, situate well retired from Cock-street, embracing an area of about 1a. 1r. 7p.; with possession. Solicitors, Messrs. Sheard & Breach, London.—Camden Town (Long Leasehold Investment): Shop Property, Nos. 148 and 150, High-street; let at £400 per annum. Solicitors, Messrs. Haynes & Claremont, London.—Henley-on-Thames: A Modern Residence, beautifully situated on the high ground on the western side of the river, in the midst of rural surroundings, yet close to the town; with stabling, grounds, &c. Solicitor, Wm. C. Pannell, Esq., London. (See advertisements, this week, p. 23.)

June 13.—Messrs. C. C. & T. Moore, at the Mart, at 2:—Aldgate: Freehold Premises; let on lease at £150 per annum. Solicitor, S Bartlett, Esq., London.—Walthamstow: Ten Plots of Freehold Building Land. Solicitors, Messrs. Forbes & Son, London.—Hackney-road: Leasehold Houses; let at £141 per annum. Solicitor, J. Ashbridge, Esq., London.—Whitechapel: Five Leasehold Houses and Shops; let at rents amounting to £278 4s. per annum. Solicitor, J. Howard Smith, Esq., London.—Poplar: Four Dwelling-houses (one with shop); let at £109 6s. per annum. Solicitors, Messrs Vaughan & Buss, London.—Homerton: Two Freehold Houses; let at £67 12s. per annum Solicitor, J. L. Trafford, Esq, Northwich, Cheshire.—Stratford: A Leasehold Profit Rental of £33 per annum. Solicitor, James Briggs, Esq, London. (See advertisement, this week, p. 9).

June 13.—Mr. Joseph Stower, at the Mart, at 2:—New King's-road, Fulham, S.W.: A Block of Freehold Land (with the buildings thereon), occupying an area of about 10,500 feet, with extensive frontages, and suitable for the erection of shops, houses, residential flats, laundry, or light manufacturing premises. Solicitor, Herbert F. Oddy, Esq., London.—Mayfair: Wharncliffe House, Curzon-street, a highly valuable Freehold Estate, approached by a carriage drive, with lodge entrance, having a frontage to Curzon-street of about 133 feet, and occupying about 29,000 superficial feet, or nearly three-quarters of an acre; being the town mansion of the Earl of Wharncliffe.—Balham: Ten excellent detached Residences; conveniently situated; close to Balham Station; let at £625 per annum. Woking: A Residential Property, Poundfield House, surrounded by charming pleasure grounds; in all about 12½ acres. Also Three Lots of Freehold Meadow Land. Solicitors, Messrs. Dawson, Bennett, & Co., London. (See advertisements, this week, p. 5.)

June 13.—Messrs. Stimson & Sons, at the Mart, at 2: 39 Residences at Camberwell (near Camberwell New-road Station and a convenient distance from Brixton-road). Solicitors, Messrs. Lee, Ockerby, & Everington; A. E. Cubison, Esq.; and T. Prothero Price, Esq., all of London. (See advertisements, this week, p. 8.)

June 13.—Messrs. St Quentin, at the Mart, at 2: Valuable City Ground-rents of £806 per annum. Solicitors, Messrs. Fairfoot, Rooke, & Webb, London. (See advertisement, this week, p. 8)

June 14.—Messrs. Herring, Son, & Daw, at the Mart, at 2:—Streatham Hill: Freehold Detached Family Residence, with extensive grounds of about 1¾ acres; with possession. Solicitors, Messrs. Marson, Son, & Haigh, London. (See advertisements, this week, p. 8.)

RESULTS OF SALES.

Reversions, Life Policies, and Gas Shares,

Messrs. H. E. Foster & Cranfield succeeded in selling the following Lots at the Periodical Sale No. 692 at the Mart, E.C., on Thursday last. The total of the sale being £11,431:

		£
REVERSIONS:		
Absolute to One-sixteenth of £8,525; life 59	Sold	200
Absolute One-fifth of Freeholds, &c., producing £2,212 per annum; life 59	"	1,250
LIFE INTEREST in £1,106 15s. 1d. Consols; life 82	"	410

LIFE POLICIES:

For £4,600; life 71	... ...	2,715
„ £3,000; Same life	... ...	2,165
„ £1,000; „	... ...	1,430
„ £1,000; „	... ...	900
„ £1,000; life 69	... ...	1,205
„ £500; life 54	... ...	220

SHARES:

97 Ten per Cent. Standard Shares in West Ham Gas Co. of £5 each, fully paid	936

Messrs. C. C. & T. Moore, at the Mart, on Thursday, sold the Copyhold Shop, No. 75, Whitechapel-road, for £2 710, which is nearly 34 years' purchase of the rental (£80 per annum); the two adjoining shops, £3,190; Seven Freehold Shops in Lower Chapman-street, St. George's, £3,150. Other Lots in Stepney, Stoke Newington, and Bow brought the total to £14,325.

WINDING UP NOTICES.

London Gazette.—Friday, May 31.

JOINT STOCK COMPANIES.

Limited in Chancery.

Anglo-American Exchange, Limited—Creditors are required, on or before July 1, to send their names and addresses, and the particulars of their debts or claims, to Alfred Thomas Child, 16, Fore st avenue

British America Corporation, Limited—Petn for winding up, presented May 28, directed to be heard on June 12. Smith, 43, Coleman st, solor for petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of June 11

Catamarca Syndicate, Limited—Creditors are required, on or before July 2, to send their names and addresses, and the particulars of their debts or claims, to Edgar Learoyd, 86, Leadenhall st and John Robbie Whamond, 3, Crown ct, Old Broad st

Francis Kent & Co, Limited—Creditors are required on or before July 6, to send their names and addresses, and the particulars of their debts or claims, to Harry Wilson, 37, Essex st, Strand. Thomson & Thomson, 1a, Abchurch yd, Cannon st, soloors for liquidator

Northern Wine and Spirit Co, Limited - Creditors are required, on or before July 12, to send their names and addresses, and the particulars of their debts or claims, to John Cockburn, 7, Collingwood st, Newcastle on Tyne. Wilkinson & Marshall, Newcastle on Tyne, solors for liquidator

Public Trading Co, Limited—Creditors are required, on or before July 13, to send in their names and addresses, and the particulars of their debts or claims, to the Liquidators, 31, Osborne rd, Oldham. Booth & Sons, Oldham, solors for liquidators

Rhodesian Properties, Limited—Petn for winding up, presented May 28, directed to be heard on June 12. Birchall, 85, Gracechurch st, solor for petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of June 11

Rio Arriba Land and Cattle Co, Limited—Creditors are required, on or before July 4, to send their names and addresses, and the particulars of their debts or claims, to Henry Simpson, 125, High Holborn. Costeker, Darwen, solor to liquidator

Runcorn Coffee and Cocoa House Co, Limited—Creditors are required, on or before June 29, to send their names and addresses, and the particulars of their debts or claims, to Joseph Burton, 31, High st, Runcorn

Unlimited in Chancery.

Mile End Old Town Ballot and Sale Mutual Building Society (in Liquidation)—Creditors are required, on or before Monday, July 1, to send their names and addresses, and the particulars of their debts or claims, to John Charles Alton, Wardrobe chmbrs, 145a, Queen Victoria st. Myers, 25, Wormwood st, Old Broad st, solor for liquidator

County Palatine of Lancaster.

Unlimited in Chancery.

Liverpool New Cattle Market Co—Creditors are required, on or before Saturday, June 15, to send their names and addresses, and the particulars of their debts or claims, to William David Shimmin, 50a, Lord st, Liverpool. Yates & Co, Liverpool, solors to liquidator

London Gazette.—Tuesday, June 4.

JOINT STOCK COMPANIES.

Limited in Chancery.

Boraston Brothers, Limited (in Liquidation)—Creditors are required, on or before July 11, to send their names and addresses, and the particulars of their debts or claims, to James Frederick Edwards, 23, Temple row, Birmingham. Smith, Birmingham, solor for liquidator

Gresham Trade and Finance Co, Limited—Petn for winding up, presented May 30, directed to be heard on June 12. Brown & Aylen, 2, Gresham bldgs, Basinghall st, solors for petner. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of June 11

Oldham and District Mineral Water Co, Limited—Creditors are required, on or before Saturday, July 20, to send their names and addresses, and the particulars of their debts or claims, to John George Mellodew, 89, Union st, Oldham. Sixsmith, Oldham, solor for liquidator

South Wales and Monmouthshire Mutoscope Co, Limited—Creditors are required, on or before July 16, to send their names and addresses, and the particulars of their debts or claims, to F. W. Kendall, 40, Exchange bldgs, Cardiff

South Western of Venezuela (Barquisimeto) Railway Co, Limited (in Voluntary Liquidation)—Creditors are required, on or before July 1, to send their names and addresses, and the particulars of their debts and claims, to Harold Burton Milne, 3, Lombard st

BANKRUPTCY NOTICES.

London Gazette.—Friday, May 31.

RECEIVING ORDERS.

Abell, Thomas Samuel, Barrow on Soar, Leicester. Hosiery Warehouseman Leicester Pet May 25 Ord May 25

Atterbury, John Hampson, Southsea, Hants, Commission Agent High Court Pet May 15 Ord May 28

Beresford, the Honourable Robert, Cadogan gdns High Court Pet March 18 Ord May 28

Black, William Gordon, Mitre court, Temple, Money Lender High Court Pet May 2 Ord May 28

Busse, Richard, Holborn. Licensed Victualler High Court Pet May 9 Ord May 28

Darwent, William Henry, Manchester, Merchant Manchester Pet May 25 Ord May 25

Drury, Walter Edward, Stapie Hill, Glos, Coachbuilder Bristol Pet May 25 Ord May 25

Duerden, John, Eccles, Lancs, Builder Salford Pet May 25 Ord May 25

Edmonds, William Thomas, Birmingham, Confectioner Birmingham Pet May 23 Ord May 23

Edwards, William, Pontypridd, Timber Merchant Pontypridd Pet May 29 Ord May 29

Evans, Evan, Aberdare, Glam, Haulier Aberdare Pet May 29 Ord May 29

Griffiths, Evan, Llandissilio, Pembroke, Cooper Pembroke Dock Pet May 25 Ord May 25

Hardman, George Ritson, Colwyn Bay, Denbigh, Painter Bangor Pet May 28 Ord May 28

Hardy, George, Long Eaton, Derbys, Lace Manufacturer Derby Pet May 24 Ord May 24

Hawes, Emanuel, Hastings, Poulterer Hastings Pet May 28 Ord May 28

Jones, Lewis, Newport, Mon. Licensed Victualler Newport, Mon Pet May 29 Ord May 29

Jones, William, Coleford, Glos, Colliery Under Manager Newport, Mon Pet May 23 Ord May 23

King, George, Forest Gate, Essex, Gilder High Court Pet May 29 Ord May 29

Kingdon, Alfred William, Torquay, Cycle Agent Exeter Pet May 23 Ord May 28

Knight, George Binfield, Amesbury av, Streatham Hill, Commercial Traveller Wandsworth Pet May 29 Ord May 29

Leach, George, St. Ann's rd, Tottenham High Court Pet May 7 Ord May 29

Marsh, Richard, Sturry, Kent, Builder Canterbury Pet May 24 Ord May 24

Mitchell, H S, Romford rd, Essex, Draper High Court Pet May 13 Ord May 29

Mondshein, Maurice, Canning Town, Grocer High Court Pet May 9 Ord May 29

Munns, William, Sandown, I of W, Butcher Newport Pet May 25 Ord May 25

Peabody, Richard John, Frith st, Soho, Poulterer High Court Pet May 23 Ord May 23

Pow, Frederick, Compton Dando, Somerset Farmer's Labourer Wells Pet May 29 Ord May 29

Ramsey, John, Hounslow, Dairyman Brentford Pet April 25 Ord May 24

Senior, Berry, Lower Hopton, Mirfield, Coal Miner Dewsbury Pet May 25 Ord May 25

Shears, Ernest, Totton, Hants, Ironmonger Southampton Pet May 28 Ord May 29

Sugden, Benjamin, Pudsey, Yorks, Builder Bradford Pet May 25 Ord May 25

Thackray, Frederick Bayliss, Huntingdon, Builder Peterborough Pet May 29 Ord May 29

Walker, Joseph Hugh, Cheadle, Staffs, Cabinet Maker Stoke upon Trent Pet May 25 Ord May 25

Wilkins, Frederick Tom, Llandrindod Wells, Radnor, Coachbuilder Newtown Pet May 25 Ord May 25

Williams, William Herbert, Guildford, Grocer Guildford Pet May 29 Ord May 29
Amended notice substituted for that published in the London Gazette of May 17:

Symonds, George Henry, Hetton le Hole, Durham, Miner Durham Pet May 14 Ord May 14.
Amended notice substituted for that published in the London Gazette of May 24:

Kicks, William James, St Just, Cornwall, Artist Truro Pet May 20 Ord May 20

FIRST MEETINGS.

Andrews, Clement, Finsbury pavement, House Agent June 7 at 12 Bankruptcy bldgs, Carey st

Bartlett, Sir Ellis Ashmead, St James's st, Piccadilly June 11 at 11 Bankruptcy bldgs, Carey st

Bates, Arthur, Halifax, Wood Dealer June 10 at 12 Off Rec, Townhall chmbrs, Halifax

Best, Jacob, Plymouth, Plumber June 7 at 2.30 Off Rec, 6, Athenæum ter, Plymouth

Blackburn, John, Middlesborough, Yorks, Blacksmith June 14 at 3 Off Rec, 8, Albert rd, Middlesborough

Boyd, Daniel, Outer Temple, Strand June 7 at 2.30 Bankruptcy bldgs, Carey st

Cherry, Henry Thomas, Uxbridge, Corn Factor June 12 at 3 Bankruptcy bldgs, Carey st

Cohen, Reuben, King's rd, Chelsea, Tobacconist June 7 at 11 Bankruptcy bldgs, Carey st

Corlyon, Henry Joy, Kingston upon Hull, Shorthand Writer June 7 at 11 Off Rec, Trinity House ln, Hull

Eden, George, Wolverhampton, Foreman June 7 at 11.30 Off Rec, Wolverhampton

Gladden, Edgar Mansfield, Reading, Hairdresser June 13 at 12 Queen's Hotel, Reading

Grace, John William, Steeple Aston, Oxford, Grocer June 7 at 12 1, St Aldate's, Oxford

Henderson, Arthur Seton, Winterborne Yelstone, Dorset, Baker June 7 at 2 Off Rec, Endless st, Salisbury

Hicks, David, Lytchett Minster, Dorset, Market Gardener June 7 at 1 Off Rec, Salisbury

Howe, James, Stockton on Tees, Commercial Traveller June 12 at 3 Off Rec, 8, Albert rd, Middlesborough

Kelly, James, Merthyr Tydfil, Labourer June 7 at 3 135, High st, Merthyr Tydfil

Kingdon, Alfred William, Torquay, Cycle Agent June 20 at 10.30 Off Rec, 13 Bedford cir, Exeter

Law, Samuel, Tonbridge, Kent, Refreshment house Keeper June 7 at 2 Angel Hotel, Tonbridge, Kent

Line, J W, Northumberland av, Financial Agent June 11 at 12 Bankruptcy bldgs, Carey st

Marshall, Frederick, Uxbridge, Dealer June 7 at 3 95, Temple chmbrs, Temple av

Nicholls, Richard James, Devonport, Carpenter June 7 at 11 Off Rec, Athenæum ter, Plymouth

Primmer, Edward George, Poole, Tailor June 7 at 12.30 Off Rec, Salisbury

Stickland, Walter John, Portland, Dorset, Confectioner June 7 at 1.30 Off Rec, Endless st, Salisbury

Symonds, George Henry, Hetton-le-Hole, Durham, Miner June 7 at 12 Off Rec, 25, John st, Sunderland

Teasdale, Thomas, St Ann's villas, Holland Park June 12 at 2.30 Bankruptcy bldgs, Carey st

Thomas, Frances, Wolverhampton, Fishmonger June 11 at 11 Off Rec, Wolverhampton

Usher, Dyas Loftus Tottenham, Clydesdale mansions, Bayswater June 12 at 11 Bankruptcy bldgs, Carey st

Venn, John, Coventry, Licensed Victualler June 7 at 12 17, Hertford st, Coventry
Amended notice substituted for that published in the London Gazette of May 14:

Ford, John Charles, Ommington, Weymouth, Dairyman Amended notices substituted for those published in the London Gazette of May 24:

Cane, James Henry, Hove, Sussex, Printer May 31 at 11 Off Rec, Pavilion bldgs, Brighton

Kicks, William James, St Just, Cornwall, Artist June 3 at 12 Off Rec, Boscawen st, Truro

ADJUDICATIONS.

Abell, Thomas Samuel, Barrow on Soar, Leicester, Hosiery Warehouseman Leicester Pet May 25 Ord May 25

Andrews, Clement, Finsbury pavement, House Agent High Court Pet May 20 Ord May 25

Bowditch, Joseph Durden, Upwey, Baker Dorchester Pet May 2 Ord May 25

Cohen, Reuben, Chelsea, Tobacconist High Court Pet April 25 Ord May 28

Coote David, Sudbury, Suffolk, Builder Colchester Pet April 24 Ord May 28

Darwent, William Henry, Urmston, Merchant Manchester Pet May 25 Ord May 25

Day, Walter Clifford, Bartholomew close, Cellar Manufacturer High Court Pet April 22 Ord May 25

Dormer, Edward Henry, Wetherby pl, South Kensington High Court Pet March 15 Ord May 25

Duerden, John, Eccles, Lancs, Builder Salford Pet May 25 Ord May 25

Edwards, William, Pontypridd, Glam, Timber Merchant Pontypridd Pet May 29 Ord May 29

Elldred, Thomas William, Upper Clapton, Shirt Dresser High Court Pet April 4 Ord May 23

Evans, Evan, Aberdare, Glam, Haulier Aberdare Pet May 29 Ord May 29

Goodliffe, Walter, Worthing, Florist Brighton Pet May 10 Ord May 25

Griffiths, Evan, Llandissilio, Pembrokes, Cooper Pembroke Dock Pet May 25 Ord May 25

Hardman, George Ritson, Colwyn Bay, Denbigh, Painter Bangor Pet May 28 Ord May 28

Hardy, George, Long Eaton, Derbys, Lace Manufacturer Long Eaton Pet May 24 Ord May 24

Hodgson, Frederick John, Cardiff, Grocer Cardiff Pet May 13 Ord May 24

Jacoby, Gustav, West Hampstead, Leather Merchant High Court Pet May 1 Ord May 28

Jones, Lewis, Newport, Mon, Licensed Victualler Newport, Mon Pet May 29 Ord May 29

Jones, William, Coleford, Glos, Colliery Under Manager Newport, Mon Pet May 22 Ord May 23

Kay, John Watson, Colne, Lancs, Agricultural Engineer Burnley Pet April 24 Ord May 25

King George, Forest Gate, Essex, Carver High Court Pet May 29 Ord May 29

Kingdon, Alfred William, Torquay, Cycle Agent Exeter Pet May 28 Ord May 28

Knight, George Binfield, Amesbury av, Streatham Hill, Commercial Traveller Wandsworth Pet May 29 Ord May 29

Liardet, John Evelyn, Kensington rd, Engineer High Court Pet Nov 15 Ord May 22

Manns, William, Sandown, Butcher Newport Pet May 25 Ord May 25

Marsh, Richard, Sturry, Kent, Builder Canterbury Pet May 24 Ord May 24

Moon, Alfred Edmund, Birmingham, Grocer Birmingham Pet May 9 Ord May 23

Morley, William Rochford, Essex, Builder Chelmsford Pet May 20 Ord May 24

Murphy, Bertram Samuel Joseph Finnistone O'Neill, Buckingham Palace rd High Court Pet April 12 Ord May 25

Newman, John Spencer, Gt Yarmouth, Florist Gt Yarmouth Pet May 22 Ord May 28

Peabody, Richard John, Frith st, Soho, Poulterer's Assistant High Court Pet May 23 Ord May 29

Pow, Frederick, Compton Dando, Somersets, Farmer's Labourer Wells Pet May 29 Ord May 29

Senior, Berry, Lower Hopton, Mirfield, Coal Miner Dewsbury Pet May 25 Ord May 25

SUDDEN, BENJAMIN, Pudsey, Yorks, Builder Bradford Pet May 25 Ord May 25
THACKRAY, FREDERICK BAYLISS, Huntingdon, Builder Peterborough Pet May 29 Ord May 29
TINKLER, CHARLES ALBERT, and ALFRED MITCHELL, Mason's av, Basinghall st, Licensed Victuallers High Court Pets March 30 and April 24 Ord May 23
VINE, JOHN, Coventry, Licensed Victualler Coventry Pet May 24 Ord May 29
WALKER, JOSEPH HUGH, Cheadle, Staffs, Cabinet Maker Stoke upon Trent Pet May 25 Ord May 25
WILLIAMS, WILLIAM HERBERT, Guildford, Grocer Guildford Pet May 29 Ord May 29
WINDRED, WILLIAM, Brockley High Court Pet March 5 Ord May 23

London Gazette.—TUESDAY, June 4.

RECEIVING ORDERS.

BECKITT, JANE, Liverpool, Boot Dealer Liverpool Pet May 31 Ord May 31
BERRY, THOMAS, Wisbech St Peter, Cambs, Auctioneer King's Lynn Pet May 31 Ord May 31
BINNERKAMP, CORNELIUS ARNOLDIUS, Mitcham, Basket Manufacturer High Court Pet May 31 Ord May 31
BUTLER, HENRY WILLIAM, Margate, Bricklayer Canterbury Pet May 16 Ord May 30
CARRINGTON, WILLIAM, and ARTHUR CARRINGTON, Royston, Herts, Builders Cambridge Pet May 31 Ord May 31
CHALLIS, EDWARD GEORGE, Wandsworth, Grocer Wandsworth Pet May 30 Ord May 30
CHARITY, ALFRED, Loughborough, Builder Leicester Pet June 1 Ord June 1
COLLYER, HERBERT ARTHUR, Wimbledon, Clerk Kingston, Surrey Pet May 31 Ord May 31
CRABTREE, WALTER, Bradford, Slater Bradford Pet May 30 Ord May 30
CRISFORD, GEORGE, Cranbrook, Kent Hastings Pet May 30 Ord May 30
DAVY, SAMUEL FOSTER, Doncaster, Labourer Sheffield Pet May 31 Ord May 31
DICKINSON, CHRISTIANA, Halifax, Confectioner Halifax Pet May 30 Ord May 30
DUNLOP, JAMES, and GEORGE DUNLOP, Newcastle on Tyne, Grocers Newcastle on Tyne Pet May 29 Ord May 29
EDWARDS, ALFRED, Chelmsford, Coal Dealer Chelmsford Pet May 31 Ord May 31
FIELD, JULIAN, Piccadilly High Court Pet May 8 Ord May 31
GATHERCOLE, FREDERICK CHARLES, King's Lynn, Norfolk, Licensed Victualler King's Lynn Pet May 31 Ord May 31
GILBERT, WALTER, Ryde, I of W, Printer Newport and Ryde Pet May 25 Ord June 1
HOPSON, LAURA ELIZABETH, Coventry Coventry Pet May 31 Ord May 31
HOUSMAN, JOHN EBENEZER, St Austell, Cornwall, Tailor Truro Pet June 1 Ord June 1
HOWE, WALTER, Scarborough, Baker Scarborough Pet May 31 Ord May 31
JACOB, CHARLES THOMAS, Huntingdon, Saddler Peterborough Pet May 30 Ord May 30
KNIGHT, ALFRED HENRY, Wimbledon, Watchmaker Kingston, Surrey Pet June 1 Ord June 1
NIGHTINGALE, BASIL JAMES, Leamington, Warwick, Artist Leicester Pet May 31 Ord May 31
ROBERTS, ALOYSIUS, Liverpool, Merchant's Clerk Liverpool Pet May 31 Ord May 31
SHAPLAND, ALFRED HENRY, Ilford, Essex, Carman Chelmsford Pet May 31 Ord May 31
SHARP, ALFRED GEORGE, Bexley Heath, Kent Rochester Pet April 1 Ord May 30
SMITH, ALAN WYLDBORE BOSWORTH, Devonport, Lieutenant R N Plymouth Pet May 30 Ord May 30
SPENCELEY, SCOTT WILLIAM, Bedford, Commercial Traveller Bedford Pet June 1 Ord June 1
THOMAS, EDWARD IVEY, Camborne, Cornwall, Grocer Truro Pet June 1 Ord June 1
TRACY, The Hon F S A HANBURY, Queen's gate High Court Pet Nov 8 Ord May 30
WILLETTS, JOHN, Birmingham, Clerk Birmingham Pet May 30 Ord May 30
WOODALL, SARAH, Loudoun rd, St John's Wood High Court Pet May 6 Ord May 30

FIRST MEETINGS.

ADELL, THOMAS SAMUEL, Barrow-on-Soar, Hosiery Warehouseman June 11 at 12.30 Off Rec, 1, Berridge st, Leicester
ATTERBURY, JOHN HAMPSON, Southsea, Hants, Commission Agent June 13 at 11 Bankruptcy bldgs, Carey st
BENNETT, W E, Lewisham, Builder June 11 at 12.30 24, Railway app, London Bridge
BERESFORD, the Hon ROBERT, Cadogan gdns June 13 at 12 Bankruptcy bldgs, Carey st
BLACK, WILLIAM GORDON, Mitre ct, Temple, Money Lender June 13 at 2.30 Bankruptcy bldgs, Carey st
BLAIR, EDMUND, Carlisle, Licensed Victualler June 12 at 12 Off Rec, 34, Fisher st, Carlisle
BRADLEY, WALTER, Nottingham, Grocer's Assistant June 12 at 12 Off Rec, 4, Castle pl, Park st, Nottingham
BRINKERKAMP, CORNELIUS ARNOLDIUS, Mitcham, Basket Manufacturer June 11 at 12 Bankruptcy bldgs, Carey st
BRIMBLE, SYDNEY JAMES, Bristol June 12 at 12 Off Rec, Baldwin st, Bristol
BUCKLEY, GEORGE HUGH, Bristol, Confectioner June 12 at 11 45 Off Rec, Baldwin st, Bristol
BUSSE, RICHARD, Holbora, Licensed Victualler June 14 at 11 Bankruptcy bldgs, Carey st
BUTLER, HENRY WILLIAM, Margate, Bricklayer June 13 at 9 30 Off Rec, 68, Castle st, Canterbury
CLIFF, MARIA, and MARIA GRIFFITHS, Smethwick, Staffs, Fancy Drapers June 14 at 12 174, Corporation st, Birmingham
COOMBER, ALFRED, SEN, Streatham, Builder June 12 at 11.30 24, Railway app, London Bridge
CRABTREE, WALTER, Bradford, Slater June 13 at 11 Off Rec, 31, Manor row, Bradford
CRISFORD, GEORGE, Cranbrook, Kent June 11 at 3 30 County Court Offices, 24, Cambridge rd, Hastings
DEAN, FREDERICK HERBERT, Birmingham, Pianoforte Dealer June 12 at 12 174, Corporation st, Birmingham
DRURY, WALTER EDWARD, Staple Hill, Glos, Coachbuilder June 12 at 12 30 Off Rec, Baldwin st, Bristol
FLOOD, SYLVESTER BERNARD, Bristol, Fruit Merchant June 12 at 11.30 Off Rec, Baldwin st, Bristol
GEE, GEORGE, Handsworth, Staffs, Builder June 12 at 11 174, Corporation st, Birmingham
GRIFFITHS, EVAN, Llandissilio, Pembroke, Cooper June 21 at 12 Temperance Hall, Pembroke Dock
HARDMAN, GEORGE RITSON, Colwyn Bay, Denbigh, Painter June 12 at 12 Imperial Hotel, Colwyn Bay
HAWES, EMANUEL, Hastings, Poulterer June 11 at 3 County Court Offices, 24, Cambridge rd, Hastings
HOWE, WALTER, Scarborough, Baker June 11 at 2.30 74, Newborough, Scarborough
JENKINS, WHITLOCK DAVID THOMAS, Nottingham, Cashier June 12 at 12 Off Rec, Newport, Monmouth
JOHNS, JAMES, Upper Tooting June 12 at 12.30 24, Railway app, London Bridge
KING, GEORGE, Forest Gate, Essex, Gilder June 12 at 12 Bankruptcy bldgs, Carey st
LAVARS, THOMAS HENRY, Clifton, Bristol, Tailor June 12 at 12.15 Off Rec, Baldwin st, Bristol
LEECH, GEORGE EDWARD, Tottenham June 14 at 2.30 Bankruptcy bldgs, Carey st
LONEY, HERBERT, Plumstead, Baker June 11 at 11.30 24, Railway app, London Bridge
MARSH, RICHARD, Sturry, Kent, Builder June 13 at 9 Off Rec, 68, Castle st, Canterbury
MARTIN, THOMAS, Moulton, nr Davenham, Baker June 13 at 2 Royal Hotel, Crewe
MAYOR, ALFRED, Whitehall Club, Whitehall June 11 at 11 Bankruptcy bldgs, Carey st
MEEKINS, ALGERNON, Newington Butts, Licensed Victualler June 12 at 11 Bankruptcy bldgs, Carey st
MITCHELL, H S, Romford rd, Essex, Draper June 12 at 2.30 Bankruptcy bldgs, Carey st
MONDSHEIN, MAURICE, Barking rd, Grocer June 17 at 11 Bankruptcy bldgs, Carey st
MOORE, WILLIAM, Lye, Worcester, Builder June 13 at 3 W S Mobberley, High st, Stourbridge, Solicitor
MORLEY, WILLIAM, Rochford, Essex, Builder June 14 at 3 95, Temple chmbrs, Temple av
PEARSON, THOMAS, Lye, Worcester, Painter June 13 at 3 15 W S Mobberley, High st, Stourbridge, Solicitor
PERCIVAL, FRED, Northwich, Grocer June 13 at 2 30 Royal Hotel, Crewe
PONSO, JOSEPH MORRIS, Albert rd, Regent's Park June 17 at 12 Bankruptcy bldgs, Carey st
POW, FREDERICK, Compton Dando, Somersets, Farmer's Labourer June 12 at 12.45 Off Rec, Baldwin st, Bristol
RAINS, ARTHUR, Agar st, Estate Agent June 19 at 12 Bankruptcy bldgs, Carey st
ROBINSON, ARTHUR, Crewe, Forgeman June 13 at 3 Royal Hotel, Crewe
SAFIER, MAX, Commercial rd, Mantle Manufacturer June 19 at 11 Bankruptcy bldgs, Carey st
SENIOR, BERRY, Lower Hopton, Mirfield, Yorks, Coal Miner June 13 at 11 Off Rec, Bank chmbrs, Batley
SHARP, ALFRED GEORGE, Bexley Heath, Kent June 17 at 11.30 115, High st, Rochester
SHEARS, ERNEST, Totton, Hants, Ironmonger June 12 at at 12.30 Off Rec, 172, High st, Southampton
STAINES, JOHN FRANCIS, Bloomsbury sq, Surgeon June 13 at 12 Bankruptcy bldgs, Carey st
SUDDEN, BENJAMIN, Pudsey, Yorks, Builder June 19 at 11 Off Rec, 31, Manor row, Bradford
VICKERS, THOMAS, Norfolk st, Strand, Engineer June 17 at 11 Bankruptcy bldgs, Carey st
WAINE, ISAAC, Willenhall, Staffs, Lock Manufacturer June 14 at 12 Off Rec, Wolverhampton
WAINWRIGHT, THOMAS BAILEY, Plymouth, Carrier's Manager June 11 at 2 30 6, Athenæum ter, Plymouth
WILKINS, FREDERICK TOM, Llandrindod Wells, Radnor, Coachbuilder June 19 at 11.30 1, High st, Newtown
WOODLEY, ROBERT BEVIL, Liverpool, Tobacconist June 12 at 12 Off Rec, 35, Victoria st, Liverpool
YEADON, ELIZA ELLEN, Bournemouth, Lodging house Keeper June 11 at 12 30 Off Rec, Endless st, Salisbury

ADJUDICATIONS.

BECKITT, JANE, Liverpool, Boot Dealer Liverpool Pet May 31 Ord May 31
BERRY, THOMAS, Wisbech St Peter, Cambridge, Auctioneer King's Lynn Pet May 31 Ord May 31
BRUNSKILL, JOHN STEPHEN, London wall, Mining Agent High Court Pet March 28 Ord May 31
CARLIN, SAMUEL CHARLES, Brownhills, Staffs, Grocer Walsall Pet May 10 Ord May 30
CARRINGTON, WILLIAM, and ARTHUR CARRINGTON, Royston, Herts, Builders Cambridge Pet May 31 Ord May 31
CHARITY, ALFRED, Loughborough, Builder Leicester Pet June 1 Ord June 1
COLLYER, HERBERT ARTHUR, Wimbledon, Clerk Kingston, Surrey Pet May 31 Ord May 31
CRABTREE, WALTER, Bradford, Slater Bradford Pet May 30 Ord May 30
CRISFORD, GEORGE, Cranbrook, Kent Hastings Pet May 30 Ord May 30
DAVIDSON, P M, Newcastle on Tyne, Firebrick Exporter High Court Pet March 28 Ord May 28
DAVY, SAMUEL FOSTER, Doncaster, Labourer Sheffield Pet May 31 Ord May 31
DICKINSON, CHRISTIANA, Halifax, Confectioner Halifax Pet May 30 Ord May 30
DRURY, WALTER EDWARD, Staple Hill, Glos, Coachbuilder Bristol Pet May 25 Ord June 1
DUNLOP, JAMES, and GEORGE DUNLOP, Newcastle on Tyne, Grocers Newcastle on Tyne Pet May 29 Ord May 29
EDWARDS, ALFRED, Chelmsford, Coal Dealer Chelmsford Pet May 31 Ord May 31
GRIGGS, MARK, Woodford, Essex, Grocer High Court Pet April 19 Ord May 31
HAWES, EMANUEL, Hastings, Poulterer Hastings Pet May 28 Ord May 30
HOPSON, LAURA ELIZABETH, Coventry Coventry Pet May 31 Ord May 31
HOUSMAN, JOHN EBENEZER, St Austell, Tailor Truro Pet June 1 Ord June 1
HOWE, WALTER, Scarborough, Baker Scarborough Pet May 31 Ord May 31
JACOB, CHARLES THOMAS, Huntingdon, Saddler Peterborough Pet May 30 Ord May 30
JOHNSTONE, CARIE, Cleveland row, St James's High Court Pet March 5 Ord May 31
LEECH, GEORGE EDWARD, Tottenham High Court Pet May 7 Ord June 1
LIGHTFOOT, JOHN, Gateshead, Printer Newcastle on Tyne Pet April 1 Ord May 31
NEHEMIAS, ALFRED, Cheapside, Commission Agent High Court Pet March 19 Ord May 29
NIGHTINGALE, BASIL JAMES, Leamington, Warwick, Artist Leicester Pet May 31 Ord May 31
RAMSEY, JOHN, Hounslow, Dairyman Brentford Pet April 25 Ord May 31
SHAPLAND, ALFRED HENRY, Ilford, Essex, Carman Chelmsford Pet May 31 Ord May 31
SPENCELEY, SCOTT WILLIAM, Bedford, Commercial Traveller Bedford Pet June 1 Ord June 1
TAYLOR, ALFRED, Stowmarket, Builder Bury St Edmunds Pet May 18 Ord May 31
TAYLOR, THOMAS, Aintree, Lancs, Grocer Liverpool Pet May 8 Ord May 30
THOMAS, EDWARD IVEY, Camborne, Cornwall, Grocer Truro Pet June 1 Ord June 1
WILLETTS, JOHN, Birmingham, Clerk Birmingham Pet May 30 Ord May 30

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